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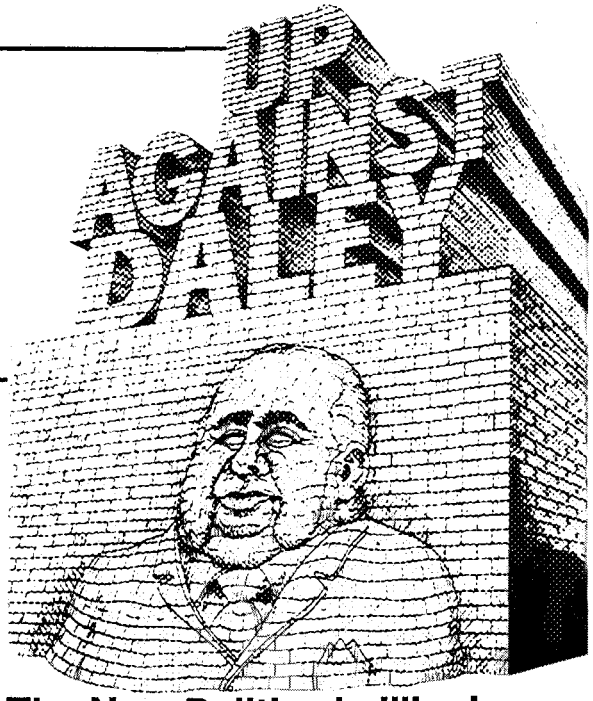

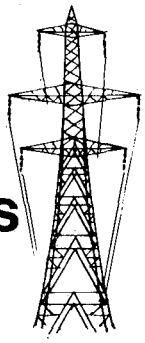

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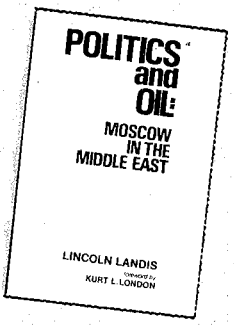

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The Man Who Nailed Tony Boyle

by Walter Shapiro

Told in a flat, emotionless voice, the story was vintage Richard Sprague. Leaning across his cluttered desk, five stories above center city Philadelphia, Sprague, probably the best local prosecutor in the country, recalled the time he convicted a 14-year-old boy for first-degree murder. "My parents are psychoanalysts," Sprague said, "and they wouldn't talk to me for a week after this one."

It is easy to understand their horror. The boy, Curtis Edwards, had endured the trauma of his father's execution for murder. Edwards' closest friend was a 17-year-old with a father so vicious that his mother had become deaf from repeated beatings. The two boys conspired to murder the 17-year-old's father, but it was Edwards who actually pulled the trigger, an act of vengeance that he believed was justified since "the state killed my father because he was a bad man."

"The 17-year-old was tried first," Sprague said, "but I didn't try the case. I had, however, wanted the order of the trials reversed." What happened in the first trial was just what Sprague had feared. The defense stressed the terrible home life of the 17-year-old and used this as a wedge to win an innocent verdict for reasons of temporary insanity. This, Sprague said, handicapped him in trying Edwards' case because the defense "should have been able to develop even more sympathy for the 14-year-old, after all his father had been executed." Then Sprague said something that summed up almost perfectly his attitude towards his life's work, the prosecution of criminals: "In my speech to the jury, I had to make them feel that I was as sympathetic to the poor kid as they were. But the law was the law, I had to do my duty, and they had to do theirs." Curtis Edwards was convicted of first-degree murder.

Walter Shapiro is an editor of The Washington Monthly.

It is a grisly little story, but it is not cited as evidence that prosecutors in general—or Richard Sprague in particular—are totally devoid of compassion. Rather, it is meant to be the starting point for the examination of a man whose primary concern is preserving the fabric of the community. In his 16 years in the Philadelphia district attorney's office, Sprague—who as the top appointed official is number two in the office behind the elected DA—has tried more than 10,000 cases. But much of his national recognition comes from having prosecuted more than 70 first-degree murder cases and having lost only once, when the charges were reduced to second degree. At last count, Sprague, one of the country's most outspoken supporters of capital punishment, had asked for the death penalty 22 times—and got it in 19 of the cases. Although few of these murderers have been executed,

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Sprague is the kind of man who can say (and probably mean), "I've never lost any sleep over a killer I helped send to the chair."

But the major reason Sprague has won the right to have his views on the law and justice taken seriously is that last April 11 he obtained what may well have been the most important murder conviction in recent American history. After four-and-a-half hours of deliberation, a Media, Pennsylvania, jury found former United Mine Workers Union president Tony Boyle guilty of ordering the assassination of Jock Yablonski, who was brutally murdered along with his wife and daughter on the last day of 1969. Yablonski's sin was that he had challenged Boyle's leadership of what was then the most corrupt union in the country.

It took four years and five murder trials for Sprague to climb the ladder from the "local thugs" who carried out the actual murders to Tony Boyle, the "puppeteer" who had ordered them. In between were the 1973 murder convictions of two intermediaries—William Prater and Albert Pass. Prater, a union field representative, and Pass, a member of the union's executive board, had arranged the murders and set up a dummy union committee to pay for them. But following the conviction of Pass in June, 1973, the chain stopped. Pass, unlike those who had been convicted earlier, would not name any higher-ups. Sprague, who does not lack an appreciation of his own talents, put the matter in perspective: "A number of prosecutors would have said by the time we got the Pass conviction that things had gone far enough. We had gotten pretty far up in the union hierarchy with the conviction of Pass. It would have been easy to say, 'Tony Boyle's an old man. We've gotten enough results to justify our efforts.' "

If the Yablonski trials had ended with Pass, the public would have shrugged and said, "That's just the way those things work." It would have just been another piece of evidence to justify the cynical world view that the hidden Mr. Big s of life rarely get caught. It is the underworld "kingpins" who stay out of jail, while the "numbers runners" bear the brunt of crusades against the mob. But because of Richard Sprague, it was different with Tony Boyle. It is easy to forget the power and the respectability that surrounded Boyle when Sprague began to prosecute the murders in 1970. Tony Boyle was a pillar of the American labor movement, with such powerful connections that figures like Clark Clifford graced the board of directors of a union-owned Washington bank.

Sprague would be the first to admit that triumph in the Boyle case was far from his alone. The conviction rep-

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resented the culmination of almost unprecedented local, state, and federal cooperation. Since the murders were committed in a small town about 50 miles south of Pittsburgh, Sprague was involved in the case only at the request of the Washington County district attorney. The murder prosecutions were in state court, but Sprague was assisted at every level of the investigation by the FBI and the Justice Department.

The morning after the verdict was delivered in the Pass trial, representatives from all these groups met in a room at the Holiday Inn that had been serving as the command post for the trial. Lacking strong enough evidence against Boyle to get a conviction and frustrated by Albert Pass' refusal to talk, they decided to continue the investigation by reinterviewing a number of union officials who might be implicated in the murders. One of these was William Turnblazer, Pass' nominal superior on the local level. Turnblazer was an easy-going man in his late forties who had inherited his union position from his father. He was one of those people you find in any corrupt enterprise, the sort who tolerated the actions of those who surrounded him, but instigated little of it. In the Prater trial, Turnblazer had appeared as a surprise prosecution witness. He originally had been expected to testify for Prater and claim that the dummy union committee set up to pay off the murderers had been established back in 1968, long before Jock Yablonski was perceived as a threat to Tony Boyle. Instead, Turnblazer suffered pangs of conscience and testified for the prosecution. His testimony was limited, however—he challenged Prater's testimony about the union fund, but denied any knowledge of a murder plot.

Within two months after the Pass trial, Turnblazer had changed his story again. This time he acknowledged being present during a conversation in July, 1969, in which Boyle ordered Pass "to take care of Yablonski." Turnblazer's pivotal confession stemmed from a mixture of his own guilt ("It got to the point where I couldn't sleep anymore") and the two patient and skillful FBI agents who obtained his voluntary statement. On September 6, 1973, Tony Boyle was indicted for murder.

Turnblazer's story did not guarantee that Boyle would be convicted of murder. Although there was evidence corroborating Turnblazer's statement, it was a classic "one on one" case—Turnblazer's word against Boyle's. The key event in the Boyle trial was when the ex-union president testified and enabled Sprague to demonstrate to the jury that Boyle had lied about a number of minor matters related to the murders. But the trial should not be viewed in isolation —it was the culmination of Sprague's almost monomaniacal pursuit of the case since 1970. Sprague's success is based as much on his laborious preparation as it is on his courtroom abilities. There are endless stories about the rigor of Sprague's "prep" sessions where he goes over everything with prosecution witnesses. At no point does Sprague spare the feelings of those involved. Typical was Sprague's insistence that both of Yablonski's sons, Kenny and Chip, listen to and verify a line-by-line recital of a 26-page confession by one of their father's murderers.

For Whom Ma Bell Tolls

An example of this compulsiveness about even the smallest details was Sprague's effort to obtain the long-distance phone records of seven key people in the investigation. Sprague told one of his assistants in 1970, "It will probably be four or five years before we get to Boyle, but the telephone company generally destroys records of long-distance calls after about six months. Get them now." At the Pass trial, three-and-a-half years later, Sprague called as a prosecution witness Carl Williams, a newsman at WBIR-TV in Knoxville, Tennessee,

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near Prater's home. Williams testified that he broadcast the news of the discovery of the Yablonski bodies at 26 seconds past 6:10 on the evening of January 5, 1970. Sprague then produced phone company records demonstrating that Prater had made a long-distance call to Pass within five minutes of the announcement of the murders.

This kind of meticulousness is Sprague's hallmark as a prosecutor. Take his use of the testimony of Kathy Rygle, a 14-year-old neighbor of Yablonski. About a month before he was murdered, Jock Yablonski noted a suspicious-looking car watching his home. He wrote down the license plate number, which was the first clue police discovered after the murders. When the car turned out to be owned by the wife of one of the gunmen, an effort was made to find someone to corroborate that the car had actually been in the neighborhood prior to the murders. Kathy Rygle was discovered by the police to be in the habit of recording the license numbers of all passing cars. And amazingly enough, she had a piece of paper from around Thanksgiving with the same license number that had been noted by Jock Yablonski. "Little Kathy Rygle" became a fixture at the Yablonski trials as a prosecution witness, even though she was a mature 18 by the time she testified at the Boyle trial.

This kind of thoroughness depends on a close working relationship with the police. It is not surprising that the most persistent criticism of Sprague as a prosecutor is the gingerly way he handles police brutality and corruption cases. Sprague disputes the notion that "if you work closely with someone you ought not to investigate them," but his counter-arguments are weak. Yet many of Sprague's courtroom victories would have been impossible without yeoman efforts of the Philadelphia police. Take one of his most famous cases, in which he obtained a murder conviction al-

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though the body was never found. It took a year of police work to assemble the material which Sprague used to prove that the victim was a woman of such steady habits that it was implausible that she had just disappeared voluntarily. It is hard to imagine a prosecutor of a more liberal cast convincing the police that they ought to spend a year preparing for a trial where there was not even a body to prove a murder had taken place.

Choosing a jury is another area in which Sprague excels. He once shocked, but fascinated, a largely liberal law class at the University of Pennsylvania by lecturing them on how to pick a murder jury that would invoke the death penalty. In each of the Yablonski trials, Sprague surrounded himself with a battery of local officials—politicians, state troopers, courthouse regulars—who usually could peg the orientations of each potential juror who came before him for pre-trial interrogation. At times this wealth of information allowed Sprague to employ little gambits to save his peremptory challenges (which enable him to disqualify jurors) and get the defense to waste their own. At the Pass trial, for example, Sprague asked a potential juror just one question, "What does your husband do for a living?" To which the answer was, "He has been driving a cab for the past five years." The defense attorney immediately established that the potential juror's husband had been a state policeman for 19 years before that, and he consequently used one of his peremptory challenges to disqualify the juror. What Sprague had known all the time was that the woman's husband had been discharged from the state police for misconduct, and both she and her husband were still bitter about it. By asking just one question, Sprague convinced the defense attorney that he was trying to hide that the juror's husband had been with the state police. Pass' lawyer was so satisfied with his discovery that he never probed further to find out about the misconduct charges.

A Philadelphia Lawyer?

There is almost nothing about Richard Sprague's appearance, his voice, or his manner to suggest that he would be an almost legendary courtroom lawyer. Sprague is a small man with a bulbous nose and the kind of face that might be called slept in. His voice is nondescript, with the kind of modified tough-guy accents that you could find in any city hall from Baltimore to Jersey City. Even his manner is somewhat surprising. One would almost expect to find such obvious manifestations of tension as Captain Queeg's steel balls or the kind of Calvinistic solemnity of Ralph Nader accompanying his relentless drive. Instead, Sprague has the imperturbable veneer of total calm. His method of granting an interview is to allow you to sit in his office as he carries on the business of administering the district attorney's office around you. He is unfailingly courteous, introducing a visiting reporter to everyone from a rotund medical examiner to a CBS producer filming a documentary. Delegations of lawyers file into his office to report the verdicts in their trials. One of his lawyers won a major corruption case against a local official. Sprague, who has been this route hundreds of times before, asks, "How do you feel?" And then, after allowing the lawyer to let out his emotions for a few seconds, he is all business, instructing his subordinate to "make sure" certain motions "are filed within 15 days." Later, another attorney makes the same sort of ritualistic report on a less successful case: "I gave it all I had. When the jury came in together, I knew. . . ." Sprague: "Better luck next case." Always calm.

People who witnessed Sprague in the courtroom during the Yablonski trials used phrases like "total control" to describe his manner and approach. He speaks spontaneously in the courtroom, rarely referring to or taking notes. Often there are more

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than 50 prosecution witnesses waiting to testify, yet Sprague is always mentally juggling his witness list, striving to create the right psychological impression on the jury. Sprague is also noted for his ability to call for the next witness even before the preceeding witness has left the stand. Another of his trademarks is terse and narrow questions that leave little room for cross-examination. During the trial of Aubran Martin, the most vicious of the three hired Yablonski killers, Sprague presented his entire case, with more than 35 prosecution witnesses, in just one court day.

Nothing happens in the courtroom which in any way undermines Sprague's aura of command. During the Pass trial, Sprague badly sprained his ankle playing tennis. He could barely stand, let alone walk, but refused to allow the jury to see him being wheeled in and out of the courtroom.

One of the most dramatic moments in the Boyle trial came when Aubran Martin was brought in, chained to two state policemen, to be identified by Paul Gilly, another of the gunmen. Screaming obscenities as he was led toward the jury, Martin came face to face with Sprague and spat on the shoulder of the prosecutor's suit. Sprague—like an old-time baseball player who refused to rub where he had been hit by a pitch—didn't even deign to wipe the blob of spittle that was running down his coat. But he remembered the incident and used it to remind the jury of the kind of people with whom Tony Boyle was linked. In his final summation to the jury, Sprague said, "People jumped up when we had that fellow Martin in the courtroom, and you saw him as he spit on me. Members of the jury, there is nothing to be spit upon. Think and put yourself in the place of the law enforcement officers who had to start untangling, finding the chain of evidence, the law enforcement officers that had to come up against a person like Martin, and to apprehend him."

Through tactics like this Sprague never let the jury forget the brutal realities of the three Yablonski murders. Ron Malone, the chief federal government lawyer at the Boyle trial, recalled, "I had been living with this case for three years, but when Sprague went into his closing argument, the hair on the back of my neck was standing up." When Sprague picked up one of the murder weapons, he did not cradle the revolver in the palm of his hand like most people would. Instead, he held it by two fingers, an arm's length from his body, as if he was revolted by touching it.

It is important to understand that gestures like these are more than just courtroom pyrotechnics, or good stories to swap around the bar at the next prosecutors' convention. The moral sensibility that allows Sprague to express his physical disgust at having to handle the murder weapon springs from Sprague's conception of the social role of the tough prosecutor. Like Judge John Sirica's

Brazil in the Sixties

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success in getting James McCord to talk, Sprague's handling of the Yablonski trials was a combination of tough prosecutorial tactics and attitudes toward the rule of law that make many liberals who applaud the results uncomfortable about the means. Take the role which capital punishment played in unraveling the Boyle case. The first break in the case came when Claude Vealey, one of the three gunmen, confessed after his arrest. As Vealey himself acknowledged, one of his primary reasons for talking was his fear of Sprague's ability to obtain the death penalty if he did not cooperate. Sprague believes that later confessions by Annette Gilly, the wife of one of the triggermen, and Silous Huddleston, a minor union official who arranged the actual murders, were also stimulated by their horror of the electric chair.

Another illustration of the values which Sprague brings to his work as prosecutor is his treatment of William Turnblazer. Under a temporary appointment as special federal prosecutor, Sprague convicted Turnblazer of violating Jock Yablonski's civil rights. The basis for the conviction was Turnblazer's voluntary confession, the same one which provided the key evidence against Tony Boyle.

Before he recommended sentencing for Turnblazer, Sprague polled everyone who had been involved with him on the Yablonski cases. There was virtual agreement that Turnblazer should either be placed on probation or receive a token prison sentence. "I gave a lot of thought to what sentence to recommend," Sprague said. "I was influenced by the fact that Turnblazer seemed truly repentent. And that the evidence against him arose solely out of his own voluntary statement." Another factor in his decision was, Sprague acknowledged, that if Turnblazer had come to him with a deal (immunity in exchange for evidence against Boyle), Sprague would have accepted it immediately. Turnblazer, an attorney himself, had declined to be represented by a lawyer before he confessed. Before the Boyle trial, when his attorney suggested that he retract his confession (an obvious effort to arrange a last-minute "deal"), Turnblazer refused.

In Sprague's mind these exculpatory arguments had to be balanced against several other factors. A brutal murder had been committed. Turnblazer, who was a lawyer and in the upper echelons of the union, could have taken steps to prevent this murder. And "this was a case that was being observed nationally" and might have some sort of subliminal deterrent effect on the larger community. As a consequence, Sprague recommended that Turnblazer receive a 15-year sentence with the possibility for immediate parole. To him this seemed like a compromise between life imprisonment ("too strong") and probation ("too weak"). The moral example point weighed heavily with Sprague, who envisioned the public responding to the Turnblazer sentence by saying, "They're tough cookies, that prosecution. Here was a man who was convicted because of his own confession. Here was a man who helped them get Tony Boyle. But that still didn't make what he did right."

Sprague obviously personally relishes being regarded as "a tough cookie." But his attitude toward Turnblazer in particular—and punishment in general—stems from a set of basically conservative ideas about community values. "Take the typical homicide," he explained, "it's a husband and wife arguing over the lumps in the mashed potatoes or a pork chop. For the survivor, these tensions are not likely to recur. He's not going to blow up over a pork chop again. But if we don't punish someone like this merely because he is not likely to be dangerous again, we lose the feeling that some acts are considered taboo by the community. I'm not saying that punishing this murderer will prevent anyone from ever blowing up over a pork chop again. But I am a believer—and this is perhaps because my parents were

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psychoanalysts—that growing youths are subconsciously motivated by the standards they see in the community around them. They learn that when you kill someone wrongfully you go to prison. And impressions like these operate on them in later life."

Because Sprague has beliefs like these, William Turnblazer is currently serving a 15-year sentence under which the judge stipulated that Turnblazer will not be eligible for parole until he has served five years of his sentence.

Hacking Away at the Courts

Sprague's views about the procedural safeguards and "exclusionary" rules proclaimed by the Warren Court also run counter to liberal opinion. Although Sprague recognizes the ineffectiveness of railing against the Warren Court decisions themselves, he loves to tell stories that illustrate what happens when these decisions are applied too rigidly on the local level:

† "A 19-year-old boy picked up an axe and killed his mother, grandmother, and sister," Sprague began in the same kind of voice one might use to tell a bedtime story. When he was questioned by police, the boy confessed. But when the policeman was reading the lengthy card informing the boy of his rights, the policeman made the mistake of saying, "Do you understand that anything you say can be used *for or* against you at your trial." The boy was tried and convicted in local court, but the State Supreme Court threw out the confession and the conviction because the policeman had used the phrase "*for or* against you." Sprague then came to his point, "When the newspaper headlines read 'State Supreme Court Says Constitutional Rights Violated' everyone was relieved, they had thrown out an illegal confession. But I'm almost certain that we will hear from that kid again."

† There was a young woman intern at a local hospital who was raped in a particularly brutal fashion (and here Sprague went on to provide a few of the unpleasant specifics). The rapist had a prior record and was tried and convicted. "Now the high court agreed that the arrest was proper," said Sprague, warming up to the story's climax. "They said the interrogation was proper, they said the seizure of the physical evidence was proper. They found the conduct of the trial itself to be proper. But as the jury was leaving the courtroom, the judge said, 'May God guide you in your deliberations.'" Three years later the State Supreme Court ruled that the rapist was entitled to a new trial because "God had been called in as the 13th juror." Preparing for the new trial, Sprague was faced with a major problem—the woman didn't want to testify. She argued that it had taken her three years to emotionally recover from the rape and the first trial, and she didn't want to risk the progress she had made by testifying again. Sprague said, "I often get the same kind of response from parents when their children are required to testify in court. They say that reenacting the crime would be just too traumatic for their children. But I force them into court. And I forced her into court. But she collapsed on

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the witness stand and her doctors said that if she continued, it would cause permanent psychological damage, so I had to drop the case." Six months later the same rapist attacked a 12-year-old girl.

A Law and Order Man

One may disagree with Sprague's views about the death penalty and the Warren Court's ruling while still admiring what is most remarkable about his career—the absolute passion with which he dedicates himself to seeing that rules are enforced. Because such terms as "law," "order," and "stability" have been appropriated by the right wing, too many in the liberal community have forgotten that there *is* such a thing as the social fabric, and that its preservation demands that certain rules of conduct be understood and observed. We all have to know that if we pull a gun on someone else, or take his property, or resort to violence, sanctions will inevitably follow. The clearest illustration that this is not a reactionary view was the growing national sentiment about Richard Nixon up until the hour of his resignation. Many people who would never suggest that a criminal be punished for punishment's sake came to believe that in the President's case there were certain infractions so serious that to let them go unpunished would be to erode the whole system of values and responsibilities that defines acceptable and unacceptable conduct.

Behind the liberal distrust for law and order tactics there is, of course, the important understanding that social forces and economic injustice are the deepest causes of many crimes. But, instead of attacking those causes directly, liberals have too often attempted to make up for them by altering the rules and condemning a person like Sprague for enforcing them. The result is a lack of respect for law enforcement that liberals perceive as serious only when there's someone like Richard Nixon they really want to get. ■

Tidbits

Uncle Sam, the Angel

Barry Goldwater's fears of what the liberals will do next are not totally unfounded. Some months ago, we reported that one state now has drive-in food stamps. Recently a reader called our attention to The Grantsmanship Center of Los Angeles which is dedicated to developing "self-help in non-profit organizations" and to encouraging "cooperation between funding sources and applicant organizations." Its bi-monthly *News* contains such articles as "Uncle Sam, the Angel" and "$14,623,392 in Funds Raised by First Grantsmanship Center Graduates."

Speak Right Up, Man

Robert Caro, in his new book about Robert Moses, tells this story about the time when almost none of the great paver's associates had the courage to tell him that the 1964-65 World's Fair was a fiscal disaster:

The only one of Moses' aides with enough guts (and money) to tell the Boss the unpleasant truths was George Spargo, then chairman of the Fair's finance committee. Spargo had been working for Moses for 30 years and was closer to Moses than any other aide. Unlike the other Moses Men, he was close to the Boss personally as well as professionally; they double-dated together; Spargo had introduced him to the woman who was to become his second wife. By any standard—including the one that, in the Triborough empire, really mattered: the money that Moses had let him make—Spargo was Moses' favorite. When Spargo told Moses the truth about the Fair's finances, Moses fired him on the spot. "We don't want any negative thinking around here," he said in an explanatory memo to the staff. . . .

A New Way to Avoid Bank Failures

It is well known that an earnest study of the tax laws can be rewarding, and it is good to see the rewards go to the needy. The nation's banks, according to a study by an economist at the Federal Reserve Bank of Philadelphia, have decreased their effective tax burden from 38 per cent in 1961 to 16 per cent in 1972. The corporate tax rate is supposed to be 48 per cent.

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and Outrages

Doctor's Difficulties

All of us who spend every dollar we make can sympathize with the plight of the 35-year-old Florida physician described in the March issue of *Medical Economics.* He is earning $75,000 a year and spending the $41,000 that's left after taxes and premium payments on his $250,000 life insurance. The doctor has to make do with a home with two fireplaces, eight TV sets, and a swimming pool. He also bought a $2,700 boat and spends $1,000 a year on golf and $100 a month for heating his pool. In addition to the problems that arise from having nothing left over, the doctor has to face a shortage of garage space: he owns two late model Lincoln Continentals and one 1974 Pontiac Firebird. It is reassuring to know, however, that in the midst of problems such as these, dedicated physicians squeeze out a bit of their valuable time to protect the public. Thus a recent AMA panel warned against quackery among America's acupuncturists. The doctors solemnly intoned: "In China, acupuncture is not practiced for money. In our Western society, it should not become a technique for exploitation of the public." What the acupuncturists may not realize at first is that the doctors are trying to protect them from all those problems that come with having nothing left after the $41,000 is gone.

No Polyannas They

The White House staff cannot be accused of viewing life through rose-colored glasses. Take these reactions to the transcripts. Alexander Haig says he isn't startled by them: "Men who have worked together for a number of years in any organization always dispense with everything but the crudest pragmatic articulation of issues." Dean Burch says: "What emerges from the transcript is life as it is. It is life in government and politics, life in industry and business—and, yes, life in the editorial offices of every newspaper. It is how things actually are, warts and all."

A Juror's Day

What every former juror knows is never told by the regular court reporters. But here it is from Betty Beale of *The Washington-Star News*, who was freed from the purdah of the women's section to give this account of her own experience:

Jury experience in Washington is an experience unknown, it seems, to most of the social set. "You are a juror?" gasped more than one partygoing innocent during the past month. "Tell me, is your case fascinating?"

"What case?" was my rejoinder. "I have served as a juror for only 2½ hours and I'm in my third week." Therein lies the biggest gripe of the 270 to over 400 petit jurors who report for duty in Superior Court the first Tuesday in every month.

Judge Joseph M. F. Ryan, Jr. is the man who decides if and when a juror may be excused from serving and his reputation for toughness is well earned. Proof that you are contracted to do a certain amount of work every week, regardless of jury service, doesn't faze him.

"Do it Sunday," he snaps. . . .

It is Ryan, too, who gives the pre-service lecture on the glories of the jury system and he does such a good job of this you throw back your head, thrust out your chin and sally forth burning with inward fires to preserve justice for all.

In more mundane terms, you sally forth to one of the four jurors' rooms on the third floor of the old Pension Building and sit and wait and wait and wait.

You can wait for three or more days without hearing your name called, enviously watching others depart on one case after another to render decisions that would make the blind lady with the scales proud.

So you sit, you doze, you read or you play bridge. It's probably a fair guess that the District court system has done more to brush up expertise at cards than any other branch of government. Since the government pays $20 a day to a juror for a 9 to 4:30 day, minus an hour for lunch, that's over $3 an hour for playing games.

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The regime brought into power by Nasser is interpreted as essentially a praetorian political system, in which the military has the potential to dominate the political structure, with the army as a core group and as a ruling class. "I was extremely impressed with the scope and acuity of Perlmutter's analysis . . . . The book is certainly original in its ideas, argument and approach . . . . I think it is a very important study." Samuel P. Huntington *Harvard University Center for International Affairs*. October 1974/Cloth, $9.95

NEW CIVIL-MILITARY RELATIONS
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THE CUBAN INSURRECTION 1952-1959
Ramon L. Bonachea and *Marta San Martin*

Using confidential military reports, letters from various leaders of the insurrection, and data gathered from interviews held in Cuba and abroad, the authors challenge the traditional premise that Cuba's insurrection began in the rural areas and only later expanded into urban areas. Bonachea and San Martin argue that the insurrectionary struggle was based upon combined urban-rural guerrilla warfare against the regular army. *Illustrated with charts, maps, and photographs*. 1974/Cloth, $12.95; Paper, $4.95

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Social Structure and Change
Edited by *Michael Curtis* and *Mordecai S. Chertoff*

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How to Take Over the Government

Penelope Breeze

by Charles Peters

What might be called the lesson of Albert Speer—that sound principles of management can be put to evil uses—has been much commented on as a result of the experience of the Kennedy-Johnson-Nixon years. This has produced a tendency, at least on the Left, to scorn the study of process, a scorn that also derives inspiration from the sterility of much of the literature of public administration. However, while it's true that a mastery of process can lead to evil, it is also true that from time to time good men with good policies will come to office and be confronted with the problem of how they will go about doing their good deeds. It is with this thought in mind that I have looked for instruction at the unique experience of Elliot Richardson as he proceeded to take over major responsibility in four different departments of the executive branch. Richardson became Under Secretary of State in January, 1969, then Secretary of Health, Education and Welfare in June, 1970, then Secretary of Defense in January, 1973, and finally, Attorney General in June, 1973. What he and his close associates learned about managing the people, processes, and policies of government is the subject of this article, as is how the lesson of Albert Speer might require refinement in light of our experience watching the Richardson team in action.

Charles Peters is editor-in-chief of The Washington Monthly.

Richardson relied on a triumvirate of top assistants: Jonathan Moore, who is now Director of the Institute of Politics at Harvard, J. T. Smith, who is now associated with the Washington law firm, Covington and Burling, and Richard Darman, who has joined Richardson as a fellow at the Woodrow Wilson Institute in Washington. Moore ranked first and functioned in the areas of politics and people. He was, for example, the clearance point for all contacts between the White House and Department of Justice personnel. Smith was the guardian of the gate, controlling access to Richardson. Darman organized substantive staff work and prepared policy papers. I talked extensively with each of these men. In addition, I interviewed Richardson and two others who played important roles in Richardson transitions: Wilmot Hastings, now a Boston lawyer, who participated in the transition into State and was in charge of the transition into HEW (some say he was the most liberal of Richardson's top assistants), and Richard Mastrangelo, who now schedules Richardson's

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political appearances and was in charge of the logistics of the last two transitions.

Some interesting differences emerged from their accounts. One assistant described Larry Lynn, Assistant Secretary for Planning and Evaluation at HEW, as the most brilliant and innovative man he had ever known, while another said he was the worst son-of-a-bitch he'd ever met. Richardson told me he thought he had accomplished more at HEW than at any of the other departments; two of his assistants thought the least had been done there.

Another area of disagreement was over how much they had even a chance of accomplishing at the Defense Department. Jonathan Moore felt pessimistic. He pointed out that the President and his chief man, Kissinger, were in very strong assertive control of State-Defense policies. "They had lots of momentum and we were going to have a hell of a time trying to make an impact of our own." Moore also complained that there was too much direct connection between the Joint Chiefs and the White House, leaving the Secretary of Defense out.

J. T. Smith agreed: "The military really runs Defense." But he added an important distinction for those who have a "Seven Days in May" view of the services: "Anytime you can find out enough to give the military a sensible order, the military will follow it. They aren't indifferent to the Constitution. But figuring out what order to give is the trick. It's like trying to give an order to a tank while running along beside it not knowing what is going on inside."

Smith had one other reason for thinking the Richardson group would have had little impact on the Pentagon: "So much policy is already made, so many programs are already in the pipeline. What other agency has Trident submarines in the works for 1983?"

Darman was more hopeful: "At Defense we had almost everyone in the country in agreement on reducing the defense budget." Darman may have been wrong about that, but I think he was right in his next observation, which was that a limited budget would have given the Secretary power to say "no" to different services. "Power to compel reform is greatest when you have a limited amount of dough to pass around. It's easier to persuade the boys to reform when they need to increase their public support than when they already have it."

But there were large areas of agreement, especially on one subject about which the Richardson team became unusually expert—the process of transition. Their comments amounted to a convenient guidebook for taking over a part of the government.

Passing the Baton

Everyone said the first thing that must be done is for the incoming official to designate his transition

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chief and to get his predecessor to do the same. For example, John Kennedy named Clark Clifford and Eisenhower named Major General Wilton Perkins. Jonathan Moore headed both the Richardson transition into Defense and the one into Justice. Melvin Laird named Carl Wallace as his man and Richard Kleindienst designated Sol Lindenbaum.

The purpose of publicly designating one man is to avoid bureaucratic end runs, a great temptation to the

Jonathan Moore

Indians in the new department who are seeking to establish their own lines to the new chief.

The next step is the formation of a transition team. Here one should look for a combination of people who know the new boss and people who know the new department.* Sometimes a special problem will dictate a member of the team. John Duffner's selection for the Justice team probably owed something to the fact that he was close to Senator James Eastland, chairman of the Senate Judiciary Committee, and so could help with another key element in transition—the confirmation process. This was particularly important in the Justice transition, where Richardson had a tough time dealing with Senate demands for assurances that the Watergate special prosecutor would be independent. In that transition, confirmation was so time-consuming that during the first month Darman and Smith worked on nothing else.

Friends on the Hill

Getting to know your congressional committees is an important part of the transition process, whether you have a confirmation problem or not. Key members of both your authorizing and appropriating committees in both houses must be cultivated. You also have to get to know the White House people—Domestic Council or National Security Council—who oversee your operations, as well as your Office of Management and Budget men. Each department has reporters who are regularly assigned to cover it, and they, too, must be met and charmed. Most departments have an immediate constituency—doctors, educators, defense contractors, etc.—with a large, practical interest in the way the department is run, and the team must learn about them, too. The importance of these groups is illustrated by the fact that at HEW they were the main obstacle to most of the reforms attempted by the Richardson team, at least in the view of most of its members.

Once the transition team is organ-

*In staffing the Defense transition team, Moore enlisted Darman and Mastrangelo, who had worked with Richardson, J. T. Smith (he had served with the CIA), and Morton Abramovitz (he had been on Richardson's staff at State), who were experienced both with Richardson and the national security bureaucracy, and Robert Murray, who was expert in the inner workings of the Defense Department, and was a friend of Moore's, himself an alumnus of Defense who thus combined knowledge of the boss with knowledge of the department. When they went to Justice, Moore again included Smith, Darman, and Mastrangelo on the team. Wilmot Hastings was borrowed from HEW to help with the search for a Watergate special prosecutor, and from inside Justice, Patrick McSweeney and John Duffner were selected.

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ized, its primary priority should be personnel. Jonathan Moore puts it this way, "Who are the key people, are they for you or against you? Who do we get rid of, keep, transfer, promote?"

A publication called "the plum book" has been the constant study of the Richardson transition teams. Its full title is *Policy and Supporting Positions in the U. S. Government.* These are the non-career jobs that the new department head can fill with relative ease. As he develops bureaucratic skill, he can also fill many Civil Service jobs with people of his choice and, if not fire people, learn to get rid of the ones he doesn't want by transferring them or abolishing their jobs.

In the beginning he looks for people in the new agency whom he can trust to give an objective, insightful picture of what's going on and to assess the capabilities of their colleagues. Thus at HEW Richardson turned to Jim Kelly, a friend from the days of Richardson's service in HEW under Eisenhower,* and Undersecretary Robert Veneman, whom Richardson had gotten to know at the monthly undersecretaries meeting while Richardson was at State.

Once these contacts are made, the new boss must win over the people he needs. Wilmot Hastings says of the transition into HEW, "What we tried to do was seek out and form bonds of mutual confidence with people who were the key to the operation of the agency." The method for doing this was to involve Richardson in decision-making meetings from the start so that the division and bureau chiefs could see him in action, be impressed with the openness with which decisions were arrived at and, as Hastings put it, "have their negative preconceptions dispelled and the positive ones reinforced."

Richardson had a number of ways of strengthening bonds with his subordinates. One was to write comments on, say, page 36 of a 52-page memorandum. As often as conscience permitted, he would make the comments strongly favorable. He thus filled two human needs that often go unsatisfied in government, the need to know that the boss knows what you are doing and the need to know that he values what you are doing. Although one can't help suspecting that occasionally he turned to page 36 right away, Richardson's capacity for wading through written material was prodigious.* He told subordinates to err on the side of giving him more rather than fewer briefing papers, memoranda, etc. Richardson also sought to give recognition to those lower-level assistants who actually wrote the memoranda by insisting that they be identified as the authors rather than their chiefs, as is usually the custom in the government.

Why Saxbe Won't Read

In personnel matters, Richardson, like most bureaucrats, found it easier

*Prior service that equipped him with the knowledge of people and problems of his new department helped Richardson in three of his transitions. In addition to his early experience at HEW, he was the only Attorney General to have also served as both a United States Attorney and Attorney General for a state. His national security experience at State helped prepare him for Defense. Only at State was he new to the game. He left his family in Boston and worked until midnight for the first six months to fill himself in. He also added —or retained on the undersecretary's staff—people who had the foreign office experience he lacked: Jonathan Moore, Morton Abramovitz, Arthur Hartman and Richard Moorstein.

*The usefulness of his unusual capacity is illustrated by this account of the amount of material briefers can throw at you (from *Changing Administrations* by David Stanley): "The Army gave its new appointees a 150-page book on its philosophy, organization and activities—a booklet of personnel information for presidential appointees (tenure, benefits, conflict-of-interest roles, etc.), a three and a half inch book full of directives and statutory references; a booklet summarizing the backgrounds of key personnel; a survey of current major problems—including priority decisions facing the new Secretary, a history of the Army. . . and a set of organization charts."

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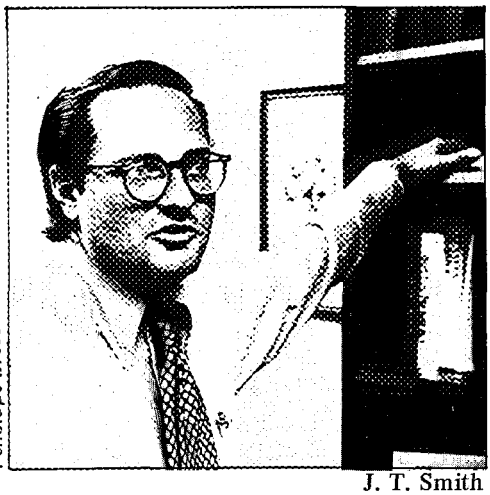
to resist Administration efforts to get him to fire people than to get approval to hire the people he wanted. Thus at HEW, during the height of Nixon's power, he was able to fight off White House attempts to make him fire Robert Ball as head of social security. On the other hand, even when Nixon was weak, after Richardson had taken over Justice, Richardson was unable



Penelope Breeze

J. T. Smith

to overcome White House resistance to his appointing Robert Freidman, then HEW regional director in Chicago, as Assistant Attorney General for Administration. Jonathan Moore says, "We could never figure out whether it was because Freidman was a political opponent of Daley, whose support Nixon was courting, or because he was a friend of Charles Percy, whom Nixon couldn't stand, or maybe it was because they wanted to show who was running things. Whatever it was, Haig told us we couldn't hire him."

Moore was one success—or at least partial success—that Richardson had against the White House. When Richardson was going to Defense, he planned to make Moore Assistant Secretary for Internal Security Affairs. Kissinger's office leaked hostile material to the press accusing Moore of being a dove, and for a while it appeared Moore would stay at HEW. But Richardson appealed to Nixon personally, and Moore was permitted to go to Defense, not in the prestigious ISA job, but as a special assistant to Richardson.

As the transition team and the new department head proceed to interview the people working in the department, they should seek to kill two birds with one stone by not only getting to know the veteran employees but also learning what the veterans know about the department. As Wilmot Hastings put it, "Find out what happened before, who had responsibility for what and why? The participants' perception of what went well and what went badly." Darman said, "The important thing is to really have the inclination to find out the experience." William Saxbe, for instance, did not have the inclination. According to both Richardson and Moore, Saxbe was the least interested of Richardson's successors in finding out what Richardson and his associates had learned and were trying to accomplish.

In mastering a new department, Richardson and his assistants all emphasize the importance of learning about its process and structure, or as Richardson says, "What are its structural arrangements for doing what it is supposed to do and for getting information about what it is doing."

The worst organized of the departments Richardson took over turned out to be the Department of Justice. Richardson observed, "What an irony—through the LEAA, the Department of Justice is supposed to guide states and local governments in the administration of law enforcement, while the Department itself is the scene of the greatest administrative chaos in the American government."

Taking a Leaf from Gogol

The Richardson team was fascinated by two administrative reforms. One was an executive secretariat, geared to produce an orderly flow of paper, to involve all interested parties in the formulation of policy, to present to cabinet officer a concise statement of

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all the options and supporting arguments, to follow up to see that action is taken on the decision. "Each of the bureaucracies we entered was byzantine," according to Darman, "and one of our main objectives was to set up a decision-making process that would exclude ex parte special pleading and give everyone a fair opportunity to be heard." At HEW, the Richardson team succeeded in expanding an executive secretariat that had been established by Finch. The other reform was an Office of Inspector General which they were proposing to institute at Justice at the time of the Saturday Night Massacre.

I strongly share their interest in the inspector general, and in fact some years back wrote with Russell Baker one explanation of why such an office is needed:

"In any reasonably large government organization, there exists an elaborate system of information cutoffs, comparable to that by which city water systems shut off large watermain breaks by closing down, first small feeder pipes, then larger and larger valves. The object is to prevent information, particularly of an unpleasant character, from rising to the top of the agency where it may produce results unpleasant to the lower ranks.

"Thus the executive at or near the top lives in constant danger of not knowing, until he reads it on Page One some morning, that his department is hip-deep in disaster. . . ."

The other reason for having an inspector general is to deny the executive "deniability." In other words, some leaders want to avoid official knowledge of the horrors their workers are perpetrating in the field. Once they have received the inspector general's report, they can no longer plead ignorance as a defense.

The main reason inspector general offices don't work is that they are usually staffed by people whose primary loyalty is to the organization they are evaluating and who are strongly tempted to cover up truly embarrassing material. The ideal staffing for such an office would be journalists and lawyers with nonrenewable appointments not to exceed three or four years.

Secretariat's Track Record

In the article in which Baker and I discussed the need for an inspector general, we also explored one of the problems that an executive secretariat can solve:

"Chronic paranoia is the common affliction of government executives. They live in constant fear that the man down the hall or over in the next agency has plots afoot to steal their programs or their jobs, or to make them look incompetent before their superiors. There is good reason for this suspicion; it frequently turns out to be founded in fact.

"The reason the man down the hall or over in the next agency has plots afoot is that he has been persuaded that other men down other halls and over in other agencies have plots afoot against him."

With an executive secretariat, your bureaucratic enemy can no longer sneak in the boss' side door with a proposal to abolish your office. Instead, he has to send the proposal through the executive secretariat, which would send it to you for comment and then forward the proposal with your comment to the boss.

The wisdom of having an executive secretariat seems most compelling when you're the victim of the proposal. It is less obvious when you're the man with the bright idea—one that you know the time is right for and that you want to serve to the boss while it's piping hot. Suppose that the executive secretariat decides that there are 15 of your colleagues whose views should be sought. You know they range from bureaucrats with a gift for obscuring any bright idea they touch to those who are dedicated to shooting down absolutely anything that might possibly reflect credit on you. Your proposal, which you had

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envisioned reaching your boss as one snappy paragraph, now goes in weighed down with all the attached comments, and if your boss does not share Richardson's zeal for perusal of the written word, its doom is already sealed.

The place where the executive secretariat is most firmly established, the Department of State, was described by the late John Franklin Campbell as "the foreign affairs fudge factory." This suggests that the executive secretariat idea requires care in its implementation to avoid the fudge effect. Still, despite their pompous names, both the executive secretariat and the inspector general are reforms in the

Richard Darman

direction of openness, and I think the Richardson team was on the right track in being concerned about them.

Along with figuring out how each department works comes another central consideration—issues. "What are the key issues that are pressing on you as you come in?" asks Jonathan Moore. What are the key signals you want to give about those issues—both to the country and to your new department? Then come the beginnings of long-range thinking. What do you want to accomplish, what do you want to leave behind when you go?

An example of a pressing problem requiring immediate signals was the collapsed morale at the Department of Justice in the spring of 1973, after there had been enough Watergate revelations to make clear that a number of leading figures at the Department were involved. Richardson immediately set out to give the necessary signals. One was the appointment of William Ruckelshaus, who was widely admired in the Department (he had been an assistant attorney general before his appointment as head of the Environmental Protection Agency) as Deputy Attorney General. Another signal was Richardson's first message to the employees, which in its opening sentence spoke of his "respect for the integrity and competence with which you do your jobs." But most important was his first press conference, in which he expressed with these statements the independence which should characterize an Attorney General:

1) the Plumbers were not justified,
2) he was not the President's lawyer,
3) he couldn't say whether the President was implicated and had told Cox to follow the evidence wherever it led.

An issue on the table at the time of transition that the Richardson team could do nothing with was the Family Assistance Program, or "welfare reform" (words had to be found to disguise what it really was—a guaranteed annual income). Richardson and his staff recognized its tremendous importance and fought hard for it but were undercut by the President's desertion from the cause. Darman calls this failure his greatest disappointment in government.

Happy to Survive

Base closing at Defense was an issue on the table that the Richardson team took over and dealt with successfully. By late December, 1972, the base closing had been negotiated between Laird and the Office of Management and Budget, but the

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President felt that announcing it would not be the right signal to give Hanoi during the final phase of the Vietnam peace talks. It was decided to have Richardson do it, which left Richardson and his staff with the nasty job of implementing the closings. A Secretary of Defense from New England had the dubious honor of shutting down the Boston Navy Yard and the Newport Navy Base. Richardson's other accomplishments at Defense were reducing the enlisted aide—or free servants for the brass—program and telling the Navy it had to stop shelling the Puerto Rican island of Culebra, where a practice firing range had been shattering the eardrums of the local citizenry for years.

However modest, these accomplishments exceeded the substantive actions taken at HEW and Justice, both of which were left awash in a sea of un-carried-out Richardson proposals. Richardson's assertion that his MEGA proposal* at HEW represented his greatest accomplishment illustrates a psychological pitfall of working with superiors such as Nixon, Haldeman, and Ehrlichman. You become grateful for survival, for the fact that even though they don't support your ideas, they don't fire you. Gratitude for the right to speak one's mind without penalty creates a state of mind in which it is easy to confuse proposal with accomplishment. This confusion is made even easier when one reflects that many public servants don't even have the courage to propose. And in Richardson's case it is at least arguable that formulating proposals was all he could do because he never had the genuine support of the White House in any of his cabinet jobs. Maybe he was just window-dressing all the time.

It is clear, however, that Richardson made a real contribution to employee morale at State, HEW, and Justice. (At Defense this was not so clear because he succeeded Laird, a reasonably popular figure, and he sufficiently resembled McNamara to arouse suspicion that another round of whiz kids with slide rules was at hand.) At Justice, his effect on morale was spectacularly demonstrated when the week after the Saturday Night Massacre he appeared before a packed audience of employees in the Department's Great Hall to receive an ovation that went on and on and on. It sounded like a march to the Bastille was next. But the audience was soon quieted by Richardson's soporific rhetoric. Some critics of Richardson's platform ability contend that recordings of his speeches should be played at prisons and other points of smoldering discontent as a riot control measure. One of his assistants speaks of Richardson's instinct for the capillaries. And another, in describing the kind of memorandum that impressed Richardson, said that "Richardson preferred prose like his own, not overly succinct." This is probably the reason there is such mutual admiration between Richardson and the civil servants. They are very much alike.

Richardson and his men are fond of technocratic usages such as this statement of a Justice Department objective: "Develop post-adjudication strategies which are cost-effective and which work." An air of laudable practicality accompanies the vaguest possible suggestion of what they are really talking about, which could be anything from closing down the federal prisons to imposing mandatory life sentences on all two-time losers.

The good side of the approach is that it gets discussion off to a non-inflammatory start. Richardson doesn't want to lead charges on the Bastille. He wants to take the sharp edges off words and issues so that men can talk together with civility. Like the Chinese, who, instead of saying Chou En-lai is a goddam liar, refer vaguely to possible prevarications by a minor courtier to the Emperor Tsu in

*A sensible new federalism that combines an incomes strategy (giving people money directly to buy the things government had been buying for them) with a program of decentralization that provides incentives for local governments to deliver services more efficiently.

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the early years of the third century, the professional civil servants have learned that one can live to fight tomorrow's battle if one fights with indirection today. Their weakness is that they put too much emphasis on survival. There are hardly any who would not have gone along, as Richardson did, with the Stennis compromise, or with Nixon's inflammatory use of the busing issue or—and this was the one that hurt the reputation of the professionals the most—with Vietnam.

But if you want a professional civil service, you have to accept men in it who place a strong value upon survival, for the continuity that is an essential characteristic of such a service can come only from those who manage to survive.

A Bureaucracy That Can Say 'No'

Still, nobody wants a civil service whose only standard is survival. What else can you ask for—and reasonably hope to find in the men you select to work for you when you take over the government? Richardson and his men are good examples. They have high competence. They are men of their word. They resigned rather than betray Richardson's pledge to the Judiciary Committee.

There was something else good that used to live in the hearts of civil servants—and that was a scrupulous regard for legality. It was at once their most infuriating and their most reassuring characteristic. Those guys at the Internal Revenue Service may have driven you crazy with their nit-picking forms and regulations, but you knew they were doing exactly the same thing to your neighbor across the street, applying the law equally to every man, not doing anything that was not strictly in accord with the letter of the law. A few yielded to the Nixon gang—but every professional is proud of the majority in the IRS who said "no" to the White House just as they are troubled by Helms, who wavered too long before saying "no," and shamed by the Petersens and Pat Grays, who said "yes."

Finally, we can ask for a concern with the substance of their work. One test of this concern is their attitude toward briefing their successors. The Richardson team passes this test nobly. In the transition between HEW and Defense, for example, Jonathan Moore spent even more time on HEW than on Defense business, and Richardson, even after he had left the Administration last November, wrote Robert Bork a long letter explaining 15 reforms he had been seeking to make at Justice and trying to persuade Bork to pursue them.

Distinguishing between good and bad professionals is going to be an important activity during the next few years. The Nixon gang infiltrated more of its people into the middle-managerial levels of government than any administration since the New Deal. We need to know who are the Elliot Richardsons and who are the H. R. (Bob) Haldemans. ■

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Memo of the Month

SAN DIEGO: OFFICE OF THE CHANCELLOR
LA JOLLA, CALIFORNIA

May 1, 1974

DEANS, DIRECTORS, DEPARTMENT CHAIRMEN

RE: Use of Affirmative Action in titles

Because affirmative action is becoming so popular in all phases of operations, more people are beginning to use affirmative action as working titles and as divisions within their offices. It is becoming increasingly difficult to distinguish persons in various offices employing the same or similar titles using the words "affirmative action". Therefore, as referenced in the PPM 250-200 and 230-6, I would like to reiterate that Dr. Paul Saltman maintains the title of Academic Affirmative Action Coordinator; Mr. Bernard Sisco, the title of Staff Affirmative Action Coordinator; and Mr. Jack Douglass, the title of Affirmative Action Monitor. Mr. Douglass still maintains the only Affirmative Action Office, per se , as both academic and staff coordinators operate out of the academic and staff personnel offices. For clarification purposes, we will list these three offices in the next campus directory under affirmative action.

I should like to request that even though we operate affirmatively out of several offices, that persons handling affirmative action apart from the above, use the title of Departmental Affirmative Action Advisor; in this way there will be no confusion as to who is the Affirmative Action Coordinator or which offices are the campus affirmative action offices.

W. D. McElroy
Chancellor

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Did Kissinger Leak the Big One?

by James Nathan

"I've studied these cases. . . and it's always a son-of-a-bitch that leaks."
Richard Nixon, July 24, 1971

Watergate's stain, like some late night sci-fi creature, seems to assume ever new and more gruesome forms. On June 11, Henry Kissinger attempted to save himself from the stain by threatening to leave the country in the lurch without a foreign policy if he were associated with any of the Watergate horrors. But in spite of the spectacle of senators rushing to endorse his virtues, there is reason to believe that Kissinger was involved with the creation of the "plumbers" in a more profound way than has been revealed before.

Let us return to the background of the plumbers and the "national security" wiretaps that preceded them. The Administration has said it was provoked to place taps on the phones of four journalists and 13 government officials because of four "serious" leaks:

1) the disclosure in *The New York Times* in 1969 that the United States was conducting massive strategic bombings of neutral Cambodia,

2) the release and publication of the Pentagon Papers in June, 1971,

3) the story in June, 1971, by William Beecher, the Pentagon correspondent of *The New York Times*, detailing the American negotiating strategy and aims at the on-going SALT negotiations.

4) the revelation by Jack Anderson of the American "tilt" toward Pakistan in the Indo-Pakistani war in late 1971.

The Beecher leak was said to be by far the most galling. For on July 23, 1971, Beecher reported the "unofficial" but real American negotiating position for the SALT talks. The other leaks were not nearly so sensitive. For instance, the 1969 revelations about the secret bombing in Cambodia could have originated from an earlier article in the *Times* of London, or from an interview with refugees, which appeared on a Grenada television broadcast in Britain. The Cambodia bombing story was also a Beecher "exclusive." But even though the White House surveillance program began on the very day of the story, May 9, 1969, no one got around to tapping Beecher's phone until a full year later. Moreover, daily B-52 strikes are such massive operations, in terms of the numbers of U. S. personnel involved and refugees "generated," that they would have been difficult to disguise for long.

Similarly, the Anderson leak was hard to disguise. In the winter of 1971, at the time of the Indo-Pakistani War, the aircraft carrier *Enterprise* and its accompanying task force cruised near the subcontinent. The entire force movement, which

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included the assault ship *Tripoli* (with a battalion of 800 Marines aboard), three escort vessels with ship-to-shore missiles, four destroyers, a nuclear attack submarine and an oiler, was specifically intended to be noticed by the other side.

Nor did the Pentagon Papers reveal much not previously known. Almost all the basic information contained in the papers had previously entered the public domain. Apparently, there was more than one set of the Pentagon Papers circulating in Washington before the *Times* and the *Post* printed them in June 1971. The Institute for Policy Studies produced a more complete narrative of the decisions and planning of the American intervention. The Institute's *Washington Wages an Aggressive War: A Documented Account of the United States' Adventures in Indo China*, published at almost the same instant that the Pentagon Papers appeared, contains not only material from the Papers but also additional information from the White House, the C.I.A., and the Department of State. But the Institute for Policy Studies did not receive the same concentrated attention as Ellsberg. Why? Simply put, the White House considered the Institute a far left-wing source, and was more interested in discrediting "respectable" dissent.

Answer to the July/August puzzle:

1 E	X	2 P	L	3 E	T	4 I	V	5 E	■	6 P	U	7 M	P	8 S
N	■	O	■	A	■	N	■	N	■	I	■	U	■	T
9 D	E	L	E	T	E	D	■	10 Z	I	E	G	L	E	R
E	■	A	■	I	■	I	■	Y	■	T	■	T	■	I
11 A	P	R	O	N	■	12 C	O	M	P	A	N	I	O	N
R	■	■	■	G	■	E	■	E	■	■	■	P	■	G
13 S	E	14 R	I	O	U	S	■	15 S	A	16 M	P	L	E	S
■	■	E	■	U	■	■	■	■	■	A	■	E	■	■
17 W	A	S	H	T	U	18 B	■	19 H	O	N	E	S	T	20 Y
O	■	I	■	■	■	R	■	O	■	S	■	■	■	E
21 U	N	D	E	22 R	W	E	N	T	■	23 F	E	24 T	A	L
N	■	E	■	O	■	A	■	D	■	I	■	E	■	L
25 D	O	N	T	A	S	K	■	26 O	P	E	R	A	T	E
E	■	C	■	S	■	I	■	G	■	L	■	M	■	R
27 D	W	E	L	T	■	28 N	O	S	E	D	R	O	P	S

The Beecher article of July 23, 1971, was, however, different. Not only did it report the essential American negotiating position at SALT, it also reported the American fallback position. According to John Newhouse's authoritative book, *Cold Dawn: The Story of SALT*, the FBI spent five months trying to locate the origin of this leak alone, with no success.

Curiously enough, the last time Beecher himself was tapped was February, 1971—five months before the SALT leak. Far from being persecuted, as some of the other "national security problems" had been, Beecher actually joined the government. Shortly after the taps became public in 1971, Beecher became Deputy Assistant Secretary of Defense for Public Affairs and received a promotion just last month. Strange rewards for a dangerous leakee.

Perhaps the reason the culprit was never found is that he who complained loudest about the leak was best served by it and least suspect: Henry Kissinger.

How did the notorious Beecher leak aid Kissinger's diplomacy? The answer possibly lies in the peculiar process of the SALT negotiations. Briefly, there were two channels of communication with the Soviets. First, there was the official American team, headed by Gerard Smith of the Arms Control and Disarmament Agency (ACDA), with members representing other elements of the bureaucracy. This was the "front channel." It met with the Russian official team over a period of years, alternately in Helsinki and Vienna. Then there was the "back channel," which consisted of secret meetings between then Special Assistant Henry Kissinger and Russian Ambassador Anatoly Dobrynin.

Kissinger ran the back channel talks himself. According to the new book *Kissinger*, "[B]oth sides worked off a single draft of the negotiating points. . . [and] [N]o carbons were allowed." Dobrynin, at

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one point, "'actually complained about the 'excessive secrecy' Kissinger kept demanding." The reasons for the super-secret back channel, whose very existence was unknown to the front channel, had much to do with the nature of the front channel American team which shuttled between Austria and Finland. The official U. S. team was a bureaucratic Frankenstein, whose parts lumbered and lurched in barely controlled, though painfully negotiated, intra-governmental compromise. The ACDA elements urged speedy agreement, while the Defense Department and the Joint Chiefs were suspect of Russian intentions and argued for delay. The negotiating position was unwieldy and susceptible to all those dismal features of bureaucratic life of which Kissinger despaired at length when at Harvard and later to reporters. As Kissinger related the bureaucratic difficulties of SALT to his recent biographers, Marvin and Bernard Kalb:

"There were those who said 'disarmament is necessary' and there were those who said 'you can't trust the Russians.' And usually. . . what happened was one negotiating position developed growing out of all these [positions], which was then put to the other side. Since the other side almost never came up with a similar proposal, that process had to be repeated over and over again with the result that we were spending more time negotiating with ourselves than the Russians."

The front channel, in short, only occasionally reflected Kissinger's position. As it went through the motions of negotiating an agreement, however, the front channel had to be steered in the proper direction. The trick was letting the front channel know what the parameters of the "real" American position were. Kissinger's method of passing along this information was indirect. At times, the Russian team would give the Americans an indication. At other times, Smith was informed of "personal communications" between Brezhnev and Nixon. This happened in the spring of 1971, when the ABM discussions became linked to negotiations on limiting the number of offensive weapons both sides would possess. Smith was informed of this understanding only a short time before the joint communique was prepared.

In this setting, the Beecher leak had an inevitable result: it gave the front channel its guidance and allowed the negotiations to proceed speedily toward the desired conclusion, without revealing the existence of private talks between Kissinger and Dobrynin.

It is, as a scientist would say, an elegant explanation. It explains why no leak was ever discovered even after a massive search. It explains why Beecher did not suffer the kind of White House pressure that Jack Anderson and Joe Kraft endured. It gives a logical reason for the incredible detail of the Beecher story. And it explains why Kissinger may have supplied to the Plumbers the names of people who couldn't possibly have known about the source of the Beecher article—for they could never have revealed that the real source of the story was none other than the White House special assistant, Kissinger, himself.

In late June, 1974, the Senate voted, as Kissinger had demanded, a resolution of confidence in the Secretary of State. A few weeks later, the Senate Foreign Relations Committee gently inquired whether the Secretary might explain what he meant by saying that he did not have any "responsibility" in recommending illegal wiretaps. The truth about Kissinger's real relations to Watergate never emerged: the "primary source" of much information on the course of American foreign policy and the symbol of bipartisan unity in American foreign affairs may have been the inspiration for the July 23, 1971 Beecher article. The Beecher leak, in turn, was the essential motivation for sending the newly formed Plumbers unit into action. ■

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Hustlers On the Range

by James Henderson

There were 50 or 60 of them waiting in the second-floor corridor of Muskogee's aging federal courthouse, sitting on wooden benches, talking in whispers, or huddled in small groups around the soft drink machine. Now and then, when someone came out of the grand jury room, they gathered like a flock around Jack Mansfield, their leader, who towered over them as though elevated to an altar, and traded information and fretted over the next move.

They were farmers, rural school teachers, general store proprietors, unskilled laborers, unemployed skilled laborers, some good ole Sallisaw boys and Nowata rednecks and Indians from the Cookson Hills, and one or two blacks—in all, the kinds of people who had spent most of their lives in poverty or just across the creek from it in the harsh, picturesque bush of eastern Oklahoma.

Mansfield looked every bit the ordained Methodist minister he once had been; six-feet five-inches tall and 195 pounds thin, dressed in black, laying a broad hand on an occasional shoulder, never letting loose of his what-do-you-know half-moon Stan Laurel smile. When he spoke, they listened. When he joked, they laughed. At this late date, in the sweltering summer of 1974, they were still convinced that Jack Mansfield knew best.

The road they had traveled to the Muskogee federal courthouse was littered with the wreckage of the Northeast Oklahoma Community Development Corporation, called NOCDC in memorandum lingo, which was created in the summer of 1969 under a new Office of Economic Opportunity division responsible for pumping money into impoverished regions where small businesses and light industries could be established. By the standards of OEO philanthropy, it was a small project, costing the government only about $4 million in direct grants, but throughout its existence it was considered by the OEO to be the best and most promising of the community development corporations among the many that were scattered from the backwoods of the deep south to the slums of big northern cities.

Although the project never worked—11 business ventures were initiated and only three live on now on borrowed time—the OEO to the end praised the NOCDC as a model of the community development ideal. NOCDC could be seen less charitably as a model of the classic con game

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that has been with the OEO from the beginning—the game of money that never quite hits the target when the smooth, career consultants like Jack Mansfield move in to intercept.

By the late 1960s the War on Poverty was faltering in rural areas across the country for several reasons, one of the most important being that educational and job training programs were turning out students who had few, if any, prospects for employment because the jobs simply were not there. So when the OEO ventured into community development programs designed to encourage some of the missing business activity, a group of Community Action Program directors in eastern Oklahoma applied for and received two $50,000 planning grants to get into the business.

There were eight directors from eight of the most impoverished counties in the state, beginning with Adair and Sequoyah counties on the Arkansas border and stretching north through the Cookson Hills to Kansas. The percentage of families below the poverty level ranges from 27 per cent in some areas to more than 40 in others. The per capita income of Adair county is $1,572, and in 1973 the OEO rated it the second poorest county in the nation. In Rogers County, the most affluent in the NOCDC region, the per capita income is $2,461. The eight counties also rank among the lowest in educational levels and the highest in unemployment in the state. In the Cookson Hills, storied for harboring outlaws from Jesse James to Pretty Boy Floyd, 10,000 full-blooded Cherokees live in squalor and speak little but their native language.

The people are backward, clannish, reticent, and suspicious of outsiders. The story is told of a tourist, passing through Sallisaw, who stopped at a fork in the road just outside of town. An old man was sitting under a tree nearby. "Does it make any difference which road I take to Ft. Smith?" the motorist asked. "Nope," the old man answered and, as the tourist sped away, added, "not to me it don't."

Still, there is an ironic quality to their parochial instincts, a quality that renders them prey to manipulation. Their suspicion is without healthy cynicism, and if that leaves them with a large capacity for hope, it also renders them vulnerable to deception. The only real political kingdoms, the only efficient political machines, in Oklahoma are in the eastern half of the state, where ignorance and poverty are the most widespread.

Jack Mansfield was working as a consultant to the Muskogee Com-

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munity Action Program in June, 1969, when the NOCDC was chartered, so he had already begun to penetrate the shell that outsiders encounter when they first come here. Until August, 1970, when the NOCDC received an $800,000 operating grant from OEO, he worked as an adviser to the new agency, ironing out wrinkles in the corporate structure, drafting venture proposals, writing by-laws and job descriptions, and outlining the qualifications needed to fill those jobs. The president would be paid $24,000 a year, and below him, three division directors, comparable to vice presidents, would be paid $22,000 a year, tidy salaries considering the economics of the region.

A 15-member board of directors was elected by the stockholders—mostly indigent residents of the area who paid $5 for the one share they were allowed to buy. The OEO required that all jobs be filled by persons living within the region if possible. It seemed it would be impossible to fill the highest paying jobs locally. The corporation advertised for a president and hired Troy Stilley, who was working as a division manager for a West Coast electronics component manufacturing firm. He had a few loose family ties with the NOCDC region, but he was essentially an outsider. A former associate of Stilley's in California became the director of operations, and Mansfield possessed just the credentials for the director of venture development.

Jack Mansfield was not in sole command of the NOCDC, but he made it tick. He understood such esoteric matters as grant applications, venture proposals, guidelines, policy statements, and OEO regulations and procedures. He knew people in Washington and how they talked and how they thought. He could persuade and manipulate and get things done. He was an organizer, a politicker, hard-nosed and heavy-handed when the occasion called for it, sly and cunning at times, innocent and injured at others. Since 1964 he had earned his living in one anti-poverty agency or another: the Community Service Foundation of Tallevast, Florida, VISTA, OEO's Community Action Program, the public health and welfare departments of North Carolina, and as consultant to the U. S. Department of Labor, the Industrial Union Department of the AFL-CIO, and HUD. The poverty war had taken a typically bureaucratic turn in its early years. It created its own language ("I didn't get any money, but I got a new vocabulary," the punch line goes) and its own labyrinth of tiresome procedures and sluggish reflexes. All this required professional guidance, and the Jack Mansfields of the business were sent out among the poor. They were not professionals in the causes and cures of poverty, but in the mechanics of the bureaucracy.

Intellectually removed from the real life needs of the poor, this breed was less susceptible to pricks of conscience, but at least in Mansfield's case, the object of the new poverty game was not the successful perpetration of a fraud, but power. Of all the charges which were eventually leveled against him, there was no accusation that he had amassed personal wealth from the $4 million that had slipped through his hands. What he had done, rather, was to use the federal money to develop personal power. In casual moments with close associates, he sometimes talked of the vast economic power the OEO grants afforded the person charged with administering them. With his own skills at organizing minorities and labor groups, he once said, the economic strength of the NOCDC could make him a political powerhouse in eastern Oklahoma. Yet, despite this blatantly self-serving vision of what he could do with the poverty funds, his self-image as an idealist who had started out as a civil rights organizer in the South during the years when it counted remained intact. "He likes to brag that his children are the only whites in their school," a former associate once said of him with considerable disdain.

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Unisex for the Horsey Set

The first blunders were minor. The chairman of the board was caught selling stock illegally to people who lived out of state. Sixteen shareholders listed the same address—a small house in the chairman's home town.

Then there was trouble with the local police in Wagoner, where the NOCDC was headquartered in a small, store-front office until the big money started arriving. Mansfield had been assigned an OEO-owned Ford station wagon, which he parked on Main Street without bothering to pay the parking meter or the subsequent fines.

When the chief of police called on Stilley to complain about the delinquent tickets, he was told to kiss off, government cars are not subject to local ordinances. So the chief impounded Mansfield's wheels. An employee who was in charge of property and equipment went down to the police station and paid $77.50 (using OEO grant money) to get the car back. Later, Mansfield reprimanded him: "That's a government car. They could keep it as far as I'm concerned."

Next, Stilley used $250 of the money to purchase five $50 tickets to an appreciation dinner for House Speaker Carl Albert. He had to pay it back from his own pocket when he was caught a few weeks later.

In spite of these internal difficulties, the corporation went about its business through 1970 and 1971 almost unnoticed. It was during that period that foundations were laid for the ventures that would bring NOCDC to fruition. Mansfield and Stilley settled comfortably into their jobs and started learning the politics of the operation.

Most of the ventures, which Mansfield himself proposed and had no trouble getting approved by OEO, were located in the counties represented by those members most subservient to the management. Adair, Sequoyah and Cherokee counties, by far the poorest, were virtually ignored in the venture planning, and it was directors from those counties who asked Mansfield and Stilley the toughest questions at board meetings.

The corporation purchased a failing machine shop, then a tooling shop, a boutique, a transformer repair business, a saddle shop, upholstery business, an electronics plant, a wood shop, and a metal fabrication plant. It pumped money into three other ventures that never got off the ground.

Each venture was bungled disastrously, a fact that did not wholly escape the attention of the board members.

Some examples:

—Boots Off Inc., a wood shop, manufactured 22,000 boot jacks and sold fewer than 5,000. Undaunted, the company branched out to produce wooden desk trays. A bid was submitted on a $25,000 contract for trays for the General Services Administration. At the time the bid was submitted, NOCDC officials had no

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knowledge of GSA specifications. Also, they did not know that the required grade of plywood was not available, and they ended up paying a Wisconsin firm triple prices for a special mill run.

—Coweta Electronics Inc. After purchasing a building for $5,000 and obtaining surplus government wiring, the company set out to manufacture a burglar alarm. It was to sell for $12. Later, after 1,000 units had been produced, it was learned that a Taiwan-made alarm of comparable quality was on the market for $1.49. Mansfield claimed the venture was not a total loss because a few people received valuable job training in stripping the insulation from surplus wire.

—Reflections Boutique in Wagoner. Until December, 1971, the boutique was operated by the Wagoner Youth Council and was less than successful. The NOCDC purchased it with plans to market a line of unisex clothing—in Wagoner, Oklahoma, where they still chase cattle thieves on horseback. Propped up by OEO funds, the shop stayed open for two years and never came close to black ink.

—Comanco North at Alluwe, the largest of NOCDC ventures and also the most suspicious. The company was set up to bid on a Litton Industries contract for the manufacture of stowage gear for the Landing Helicopter Assault ship Litton was building for the Navy. NOCDC got the $1.7 million contract. Al Hughes, a Litton official who recommended acceptance of Comanco's bid, became the NOCDC's sales manager.

When the bid was submitted, Comanco consisted of nothing but a small office. After receiving the contract, it purchased 19 acres of land and a building which turned out not to be large enough to provide the storage room required in the contract. The building had to be wired for electrical heat, since there was no natural gas line within 14 miles. The budget included $30,000 for the wiring, but the cost eventually ran to more than $60,000 (a workman on the job remarked, "If they used gold wire it couldn't cost that much").

The work of the construction company hired to refurbish and expand the old building was so shoddy that another company had to come in to finish the project. Mansfield hired the foreman from the first construction firm as an NOCDC consultant. It was one of Mansfield's characteristics to hire for his own staff employees fired by other NOCDC department heads, and over a period of time he built a personal staff that was unquestioning in its loyalty to him.

Sewage disposal was another problem at the Comanco site, so they built two huge lagoons, at a cost of $21,000, capable of handling the waste from a town of 5,000 population—for a plant that would employ, at the most, 75 workers.

The contract bid, which contained 96 items, was prepared in 21 days by a team of consultants who did not have all the specifications available to them. Moreover, "none of us had sufficient experience or knowledge to work or quote sheet metal operations and items," Claude Smith, one of the consultants, conceded later.

All but $100,000 of the $1.7 million contract had been spent before manufacturing was half completed. The customers rejected the first batch of sheet metal drawers, 47,000 of them, because they had been stored outdoors and had corroded. It cost $70,000 to refinish them. That company is one of the remaining ventures begun by NOCDC and it is surviving on the last of the OEO money to be released to NOCDC.

Just a Suggestion

If OEO officials in Washington had been ignorant of what was happening in eastern Oklahoma, it was called to their attention rather dramatically early in 1972 when W. D. Carter and Ed Hill, the two board members who became the corporation's major critics, broke the silence that had kept

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most of the activities concealed. Carter was an electrician and small businessman, Hill, a small-town school superintendent. In a lengthy petition to the OEO, with copies to newspapers, congressmen and the Justice Department, they itemized what they felt was wrong within the corporation: exorbitant executive salaries, mismanaged ventures, improper shuffling of funds among ventures and the parent company, private planes being chartered to bring in prospective employees from out of state and to conduct tours for visiting OEO officials, favoritism in the location of ventures, conflicts of interest in some transactions, unnecessary trips to Washington for favored board members, board meetings held at Western Hills State Lodge with the tab paid by the taxpayers, large amounts of money paid to consultants who were not under written contract.

Dutifully, the OEO, which was about to release a $2.5 million grant to the corporation, sent investigators to look into the allegations. By the spring and early summer of 1972, the OEO had ample evidence of the direction its model community development corporation was taking. Carol M. Khosrovi, the OEO's director of Program Development, responded in a report based on that investigation, on June 8, 1972: "While it does not appear that any evidence was found upon which the federal government is likely to allege violations of federal criminal law, a number of irregularities were found including violation of OEO regulations and grant conditions."

The investigation verified most of Carter's allegations. So what did they do? Read more of the Khosrovi report:

"Much work must be done by both the board of directors and staff of NOCDC to bring its operations back in line with previous performance, a performance which led OEO to believe that NOCDC was one of the most progressive and potentially successful of the OEO-funded rural community development corporations. It is evident that the members of the board are split on a number of basic issues including over-all program goals, strategies and board-staff relations. The board. . . must deal with these issues forcefully and expeditiously and individual members of the board must resolve that their opposition to certain board decisions must be constructive and supportive of the over-all program and must not be allowed to derail the board or staff from meeting their primary responsibilities of developing the economic and social well-being of northeastern Oklahoma."

In other words: it's your problem, you solve it, and start by silencing the opposition.

As the OEO continued its policy of nonintervention, Stilley and Mansfield went from confidence to arrogance. When Carter objected to a decision at one board meeting, Stilley told him, "You only make the policy, I run this company."

"Well," Carter said, "I was just suggesting. . . ."

"As long as its just a suggestion," Stilley said, "I'll consider it."

It was quickly becoming evident that Stilley was little more than a figurehead. The corporation belonged to Mansfield, who hovered in the background, rarely allowing himself to be drawn into argument. He was always at the president's side, and had become the official interpreter. He translated OEO letters and guidelines into language the board members could understand. Of course, his interpretations usually were compatible with his own ideas about what the corporation should be.

Some extreme tactics became necessary in the spring of 1972 to keep everything hitched up, largely because the $2.5 million grant was still hanging over their heads. The company's manpower director had been critical of some of their policies, and Mansfield and Stilley wanted him out of the way. But he lived in Mayes County, which was Carter and Hill's county, and he could not be dismissed

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quietly without their support.

One day a messenger from NOCDC arrived at Hill's home to remind him that the corporation was considering buying a bank in his town and what the hell, Ed, you'd like to be a bank president, wouldn't you? Hill, his face crimson with anger, confronted Stilley a few days later: "Don't ever send anyone to offer me a bribe."

There were attempts to fire Stilley and Mansfield, but each was turned back by an 8 to 7 vote. In their search for allies, Stilley and Mansfield even turned to J. C. Roberts, whose bank held some NOCDC deposits and loan notes. Roberts tried to whip the dissident board members into line by telling them that if the controversies continued, "My bank isn't interested in going along with you."

"Are you threatening us?" Carter demanded.

"No," Roberts said, surprised.

"It looks to me like we've been as good to you as you've been to us," Carter said, reminding him that the NOCDC loans were 75 per cent backed by the Small Business Administration and therefore of little risk to the bank.

Indeed, the NOCDC had been good to Roberts in other ways. In September, 1971, Roberts and John Haworth, brother of a district court judge who would come into the picture later, purchased an abandoned school building between Ft. Gibson and Muskogee for $15,000. Six months later, in April, 1972, they sold it to NOCDC for $67,000. It served as the corporate headquarters until last June, when OEO shut off the tap.

In spite of OEO's warning to knock off the bitching, the opposition board members persisted in complaining publicly and irregularities kept surfacing. Stilley and Mansfield hired a detective agency to tail the two most outspoken critics—Carter and Hill—and the manpower director they had fired. At one time there were as many as 15 private sleuths in Mayes country, tripping over each other and never being very secretive about their mission, which was to find out something embarrassing about the two board members, or failing that, simply to wear them down.

"I kept seeing cars parked around my house with strange men in them," Carter said, after the detectives' mission was finally exposed. "I didn't know who they were but I was getting a little afraid. Finally I sent my wife and kids out of state so I could have a showdown with them."

It turned out to be something less dramatic than that. One evening, with his family safely away, Carter approached a car parked near his home and asked the men in it who they were and what they wanted. They quickly identified themselves as private detectives hired by NOCDC to investigate him.

"They told me the investigation would stop if I would stop bothering Jack Mansfield and Troy Stilley," Carter said.

Evidence turned up by the federal grand jury revealed that the detectives had been less than diligent in their work. They frequently gathered in bars or at resort spots and drank into the night, charging NOCDC for their time and booze. The tab came to $31,501, and the expenditure was an apparent violation of an 1893 federal statute which prohibits the federal government and its agencies from employing private detectives.

Mansfield told the grand jury that he had received verbal authorization to hire private detectives. The approval, he said, came from Tom England, a program analyst in Washington. England appeared before the grand jury and denied it.

The Khosrovi report, with characteristic toughness, said in June, 1972, "OEO questions how the use of private detectives can qualify as a justifiable expense in carrying out the work program of this grant. OEO requires a written justification. . . no later than June 30, 1972."

To OEO's satisfaction at that time, Mansfield replied that the detectives had been hired to help locate some equipment missing from the corporation's saddle shop venture. He explained that the company had spent

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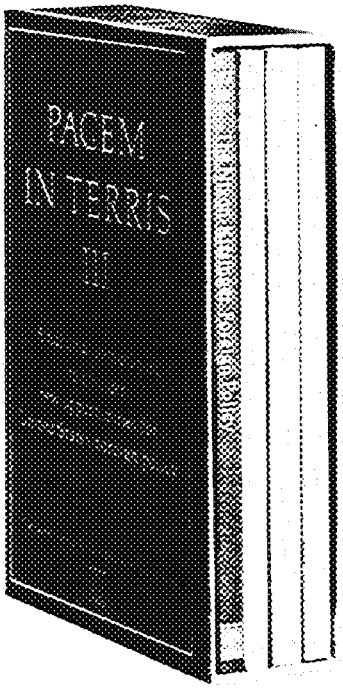

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$31,000 to try to find $1,000-worth of equipment, and the OEO apparently accepted it.

But that episode, along with an auditor's discovery in the summer of 1972 that the corporation's books were $40,000 out of balance and virtually inauditable (the auditor charged $27,000 to examine the records of a few small enterprises), shifted the balance of power against Mansfield and Stilley.

In September, they were fired.

As part of the bargain, however, the board agreed to buy up the remainder of Stilley's two-year contract for $35,917 and Mansfield's for $2,594. Immediately after the checks were issued, the board's attorney advised the directors that the amount paid to Stilley was excessive and in violation of OEO regulations. Payment on the check was stopped.

Claiming that the agreement had been breached, Stilley and Mansfield moved back into their offices and, with $11,000 of NOCDC funds, hired a lawyer to help them obtain a court order prohibiting the board from firing them again. Judge Bill Haworth, whose brother had turned a handsome profit in the sale of the NOCDC headquarters building, readily granted the injunction. Five board members resigned in disgust.

Mansfield, who never left the payroll, even kept his termination pay while drawing his regular salary.

Early in November, Stilley resigned as president; it was not revealed until several weeks later that he again had been paid more than $35,000 for the remainder of his contract—a payment that apparently was authorized by the OEO. His reasons for resigning were never clear. The OEO was starting to look more closely at the corporation's activities, and hostile correspondence from Washington was becoming more frequent. Litigation by stockholders and former board members was also mounting and Stilley, unlike Mansfield, seemed to lack the stamina and will for the combat that lay ahead.

Early in January, 1973, with Mansfield now acting president of the corporation, OEO sent another team of investigators to Oklahoma. On February 9, Willie J. Williams, chief of the OEO's program operations division, concluded in a letter to the NOCDC board: "The NOCDC program is in serious financial trouble. All operational ventures are presently cash drains on the corporation and have sustained considerable losses since inception. Some of this can be attributed to causes external to NOCDC."

Bad publicity and unforeseen legal expenses were blamed in part for the losses.

"But much of the responsibility for the poor financial picture must be borne by NOCDC management," the report said. "In practically every sense, business ventures have suffered from inadequate business planning. The plan for the second year of your grant funding period. . . is totally unrealistic. . . . NOCDC has continued to use administrative and venture funds on business ventures without prior OEO approval in continuance of a practice which has gone on for almost two years, in the face of continued orders from OEO to cease. . . ."

Calling the Bluff

One of the enduring mysteries of the NOCDC's five-year saga is why the OEO allowed it to continue receiving federal money while blatant violations and improprieties were turning up with embarrassing regularity. Maybe there is less here than meets the eye. The Community Development division of the OEO was in its infancy when the NOCDC was funded and therefore was slow, purposefully slow, to admit it was screwing up so thoroughly on the first lap. By 1970 there was ominous handwriting on the walls at OEO, where officials felt that if the community development programs could make a good showing, it might forestall the agency's doom. And in the absence of substantial political pressure to clean up the NOCDC (it was not until mid-1973 that Senator

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Dewey Bartlett, a Republican, and Rep. Clem McSpadden, a Democrat, began leaning on the OEO), there was no urgency to take drastic measures.

But in the spring of 1973, Bartlett and McSpadden persuaded Washington to reevaluate the program, and OEO notified the corporation of its intent to suspend funding. Mansfield charged that Bartlett was "determined to kill NOCDC because it was nothing but a bunch of liberal Democrats. . . ." Bartlett, who this time, at least, seemed to be acting for relatively uplifting reasons, answered that bipartisan pressure had convinced OEO to reevaluate the program "in order to save the companies and jobs involved."

"One stipulation. . . is that new management be injected into NOCDC to save the program," Bartlett said.

While the argument was raging, the board of directors submitted for OEO approval the names of three candidates for the job of NOCDC president. Mansfield's name was among them.

On July 6, Louis Ramirez, Director of the Community Development division, responded:

"There are many reasons why Mr. Mansfield's name should not be approved. He has been involved in most of the dubious activities which have led to the sending of our suspension letter. . . . He apparently has been involved personally in several conflict-of-interest situations in his tenure at NOCDC (using NOCDC funds to sue the board of directors, collecting termination pay along with his regular salary, hiring the private detectives, unauthorized use of venture funds). Furthermore, his tenure as 'acting president' was never specifically approved by OEO. . . . OEO now rejects his name as 'acting president.'. . ."

By this time, Mansfield and the board of directors had become accustomed to and blase about big-wigs in Washington trying to throw their weight around. Ramirez' letter was ignored and Mansfield stayed on as acting president.

Proof that the threat was as hollow as they had suspected came on July 23, when a scheduled hearing on the suspension order was cancelled because the OEO felt "it might be possible to deal with NOCDC's problems without the necessity of suspension." In September, the OEO again determined that there was "further evidence of the failures. . . and [the course of events] does not show a willingness on the part of NOCDC to remedy them." Suspended again. One can imagine a gigantic yawn at the next board meeting. True to form, the suspension was lifted on December 10, and the OEO stated that no action would be taken to terminate the corporation's funds.

There were six months left in the grant period. The show would not close until it played out its advance.

'Could be a Great Thing. . .'

Not much had been done for the poor of eastern Oklahoma. At its peak, the NOCDC had created no more than 100 to 150 jobs, and except for the work being done for Litton Industries, most of those jobs had been painfully temporary. By early 1974, only three of the corporation's ventures were still on their feet, and they were limping badly. The headquarters had closed up and Mansfield, still acting president, had moved a skeleton staff into the office of Comanco. Scattered about the yard of the deserted corporate headquarters are a few pieces of heavy equipment obtained from GSA and large stacks of trays left over from an ill-fated mushroom-growing venture. At the machine shop in Muskogee, an estimated $2-million worth of surplus GSA equipment, bought when there was no place to use it, sits rusting among the weeds. Near Taft, a weathered billboard stands on an empty field where a toy factory was to be built.

On a visit to the NOCDC office in the spring of 1973, I met Luther Scales, a black board member from Coweta. He was a kindly man, well

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along in his years, with a mellow voice and a touch of sadness in the way he moved. He listed his occupation as a farmer, and I suspected he had spent his years working another man's soil.

"We know that some mistakes have been made," he said, "but this could be a great thing for our area. Things are starting to settle down. If we can just get everybody behind us, we can make it work."

Hopes of economic security are not easily cast aside, even by those who have spent a lifetime chasing the elusive dream. I thought of my father following the rainbow to California in the 1940s and then following it back a decade later, still poor and still convinced it was only temporary.

"I hope you're right, Mr. Scales."

"We just got to get behind it, that's all," he said.

He stayed behind it, like a few dozen others, throughout that year and into 1974, when the federal grand jury in Muskogee began searching for criminal activities in the NOCDC's behavior.

Waiting for the End

"I don't know why they subpoenaed me," said a woman coming out of the grand jury room. "They didn't even ask me about the private detectives."

"Were you prepared to tell them something?" a reporter inquired.

"Yes," she said. "I drove 60 miles down here and they didn't even give me a chance to bring it up."

She had been approached by the detectives seeking information on the two dissident board members and she was one of the few witnesses not directly associated with NOCDC who had information that might be harmful to the corporation.

"You should tell the U. S. Attorney you have more to say," another reporter said. "If this is the way the investigation is being run, it may be a waste of time," she said.

U. S. Attorney Richard Pyle seemed annoyed when the matter was called to his attention. In fact, he had seemed annoyed by the whole investigation, which he began under pressure from former officers and employees of NOCDC who claimed they had evidence of wrong-doing. After all, the OEO had been aware of what was happening and had taken no action to stop it, so why should he labor at such length in a stuffy little room with 18 jurors to gather information that was already in the hands of another federal agency?

Few witnesses spent more than 10 minutes with the grand jury and most reported to Mansfield when they came out, gathering about him like a flock, still believing in him. During recesses and lunch breaks, the court reporters chatted with Mansfield and his attorney and after the second day, no one seemed to sense any impending danger.

After six days, in May, the grand jury recessed, its investigation ended and a report due in September. No one seriously expects indictments and Pyle has privately conceded that the evidence of criminal fraud is weak.

During the grand jury's summer recess, Mansfield and his entourage went back to Comanco and the Litton work to await the final report. The last of the OEO money has been spent and when Comanco folds, the only trace of the NOCDC will be the wreckage, lying there like a faint malodor intruding on the sweet smell of alfalfa and honeysuckle. Late in June, the OEO disclosed that it was disallowing $94,000 in unauthorized expenditures and the corporation would have to pay it back.

A few days later, the figure was adjusted downward to about $50,000. If it is not repaid, the matter could be turned over to the Justice Department. The irony is that most of the expenditures challenged occurred in 1972.

It is reasonable to assume that Mansfield is not overly concerned by OEO's attempts to collect the money. He knows all about the demands from Washington. ■

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Clever Briefers, Crazy Leaders and Myopic Analysts

by Morton Halperin

In his one-week reign as president of Cyprus, Nikos Sampson may have provided an educational service of far greater significance than his immediate influence on world affairs. The brief ascendancy of this former hitman for the Cypriot nationalist execution squads (in his cover role as a "news photographer" Sampson always seemed to scoop his competitors with photographs of street killings) reminded us once more that unstable characters can wind up on top of governments. Although Cyprus is hardly a major power, and does not—yet—possess nuclear weapons, the Sampson case forces us to confront again the unpleasant question of whether madmen could lead us into a nuclear war.

One reason why concern about crazy leaders has waned in the years since Dr. Strangelove *may be a vague public belief that one man could only do so much—that the "fail-safe" systems and the complicated chains of command would detect and remove a madman before he managed to push the button. But a careful examination of the bureaucratic politics of nuclear destruction shows that there* are *vulnerable points where a mad leader—or a "clever" but deranged adviser determined to advocate nuclear war—could lead us to destruction. The structure of the nuclear war bureaucracy also suggests why some of the proposals now being put forth by Secretary of Defense James Schlesinger would enormously increase the chances for lunatic-induced nuclear war.*

Morton Halperin is a former member of the National Security Council staff.

It has long been understood that nuclear war is unlikely to break out during a period of relative tranquility. Given the destructive power of nuclear weapons and the likely annihilation of both sides, the surprise attack coming out of the blue is extremely improbable. Thus deterring a nuclear war becomes the problem of deterring an attack in a period of intense crisis, arising out of either a conventional war or a period of great international tension.

The "crazy briefer" becomes a danger during an international crisis depending on the answers to two questions about how the national leadership makes its decisions. First, how would a decision to launch a nuclear attack actually be made, and second, what results would one have

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to promise to convince the political leaders to launch a nuclear attack?

Keep in mind that the question of launching a nuclear war would arise only during a major crisis, when the President and his principal advisers and the members of the Soviet Politburo would be focusing virtually all of their attention on the crisis, either political or military, then at hand. Some leaders and advisers would be unhappy about the options being pursued and would seek to introduce new ones. But unless one or more people with access to the top leadership recommended the option of a major nuclear attack, that option would not be considered.

It is doubtful the Soviets would decide to launch a nuclear attack without the active support of the head of the strategic offensive rocket forces or the commander of the submarine-launched missiles; similarly, it is doubtful that an American President would act without the support of the Joint Chiefs of Staff. Indeed, unless these military groups have worked out a specific plan for a nuclear attack and were prepared to put it forward, any political leaders who supported the option would be ineffective.

The Cuban missile crisis is an apt example. During the early days of the missile crisis former Secretary of State Dean Acheson, among others, favored a "surgical strike," in which the United States would attack only the Soviet missile sites then under construction in Cuba. Despite the appeal of this option and the strong support for it within the "Ex-Com" group making the decisions, it never got off the ground. The reason was that the military leadership, in particular the head of the tactical air command, consistently said that the idea was not feasible and that the military had no plans which would enable them to carry it out. The situation would have been very different if the tactical air command had favored a surgical strike, had developed effective plans for such a strike, and had put those plans forward vigorously within the Pentagon and with the Ex-Com.

So if, for one reason or another, a "clever briefer" wants to entice the nation toward the holocaust, he improves his chances by finding or creating situations where military commanders favor large offensive strikes.

The key to preventing these situations may well lie in the kind of

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war-fighting capabilities the U. S. and the Soviet government develop. Operational military commanders on both sides have shown a distaste for strategies which merely destroy enemy populations. Military leaders prefer to see nuclear conflict as simply an extension of war by more devastating means. They have tended to view nuclear weapons as essentially "conventional" military forces which should be used whenever they would be militarily effective. The American military has advocated the use of nuclear weapons, if necessary, in such areas as the Taiwan Straits (1958), Indochina (1954), and Thailand (1961).

Military leaders on both sides have sought the development of weapons systems and capabilities which would permit them to engage in a classic military activity—destroying not the enemy's civilian population but his military forces. Nuclear conflict, in their view, should be primarily a duel between the strategic forces of the two sides, each seeking to destroy the other's military capabilities.

If military commanders get what they want—forces necessary for this kind of war-fighting capability—and if they are permitted to draw up contingency plans for using such forces, they are likely to take the contingency planning for nuclear war more seriously than if they are restricted to forces designed and justified for retaliation against cities. After arguing for a war-fighting capability and having been given the forces and the flexibility they think necessary, the military may feel obliged, when a crisis arises, to come up with a proposal to *use* these war-fighting capabilities. On the other hand, if their earlier entreaties have been ignored, in a crisis they are more likely to sulk and say that they lack the capability to launch a nuclear attack—precisely because their requests were turned down.

The danger of developing a war-fighting capability, then, is that it increases the odds that in a crisis the operational military commands will propose launching a nuclear attack.

This is the context in which some recent proposals by Secretary Schlesinger need to be reevaluated. Schlesinger has advocated developing a new war-fighting capability, by designing new options for existing forces and improving our command and control capability. He has also asked Congress for funds to improve the accuracy of our long-range missiles.

So far, criticism of this doctrine has been based on its implications for the arms race. Critics have argued that such programs, particularly the proposed improvements in missile accuracy, would lead the Russian leaders to suspect that the United States was seeking a "first-strike" capability. The Soviets, it has been argued, will respond by stepping up their own programs. These criticisms are undoubtedly important. However, they overlook the greater danger that these programs make it easier for a clever briefer to influence events during a crisis.

This is the first half of the clever briefer problem—how weapons systems can make a "launch" recommendation from the military more likely. The second half has to do with the political leadership and its susceptibility to the case for a launch.

The Race is to the Swift

What result will a clever briefer representing the military have to promise in order to stand a chance of convincing the political leadership to launch a nuclear attack? Although we are postulating events during a period of intense crisis, even the promise of a relatively favorable outcome—a "victory" if you will—would probably not convince a sane political leadership to consider seriously a nuclear attack. That is to say, the informed guess that "only" 20 million of one's people will be killed if we launched an attack, while 80 million of the enemy are destroyed, is not likely to look even remotely interesting to the political leadership of the United States, Soviet Union, China or any other

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nuclear power.

Rather, the clever briefer would have to promise virtual immunity from destruction if he wants his first-strike proposal taken seriously. At the same time, he would have to argue that, if his side does *not* strike first, the other country probably *will*, causing devastation and suffering no serious damage itself.

UPI

Nikos Sampson

In short, the clever briefer will have to say, "Strike and we will destroy the other fellow and win the war; wait and we will be destroyed and lose." To reduce the risks of war, therefore, we must avoid situations in which such an argument can be made.

In most cases, the argument would simply be implausible. The great destructive power of nuclear weapons, and the very large nuclear forces on both sides assure that both sides will be destroyed no matter who fires first. But the strike-first argument might be taken seriously in a special case—an international crisis occurring after both sides had equipped themselves with large anti-ballistic missile (ABM) systems and deployed multiple-warhead rockets, MIRVs.

This possibility would involve an abrogation of the existing treaty which limits ABMs—perhaps because of a negotiating impasse over future limitation issues. If one side renounced the ABM treaty, both countries would be virtually compelled to proceed with very large ABM systems. As these deployments went forward, ABM proponents on both sides might argue that revolutionary technological changes had taken place since the mid-1960s, when the United States concluded that it was not feasible to build an effective area ABM system. In the course of justifying public expenditures on the system, executive branch officials might convince themselves, and later substantial segments of the Congress and the public, that large ABM systems *would* work, that they could shoot down a large number of incoming Soviet missiles.

The Dangers of Simplicity

Assume, then, that there is an intense international crisis some time after both sides have finished deploying ABM systems with several thousand launchers each. Assume, too, that at the same time both sides have equipped their offensive missiles with MIRVs, so that they have two or three times as many MIRV warheads as the total of ABM launchers. Assume, finally, that both sides believe that their own ABM systems will perform well the first time they are used—that is, the first time a large nuclear strike is launched.

Under these circumstances, the clever briefer's task would be considerably easier. He would point out that both sides have substantial MIRV capability, and that presumably the MIRVs are accurate enough to "kill" missiles in hard targets. He would also point out that both sides have large and effective ABM systems. And so, he would argue, if we attack first, we will saturate the enemy's ABM system simply by firing more incoming warheads at it than the enemy has defensive launchers. The first two or three thousand incoming warheads would be shot down by the enemy's ABMs, but the rest of our warheads would go right in and, with their great accuracy and reliability, destroy many of the

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enemy's missiles as well as his centers for command, control, and communication. After this, the enemy will be able to respond only in a weak and ragged fashion, using a fraction of its offensive forces. These few missiles will fall prey to our ABM system. In the end, we will destroy the enemy's strategic forces, while suffering almost no damages ourselves. But if we wait —the enemy will almost certainly make the same calculation, and *he* will act first and turn the tables.

This line of argument would not be foolproof. Opponents might be able to show substantial weaknesses in the proposed case, particularly if they questioned the briefer's high confidence that our ABM system will work. But, in a political crisis where all the other options look bad and where everyone is desperate, the political leaders may well choose to believe the briefer. To state it the other way, the clever briefer is almost certain to be rejected if he cannot rest his case on a promise of minimal damage for his side.

Thus the second half of the clever briefer problem calls for avoiding the situation in which a first strike appears desirable because it means victory at little or no cost. This is why the ABM treaty was so significant to reducing the probability of nuclear war. It also means that the highest priority in future SALT negotiations should be to create a situation in which both sides will continue to observe the ABM treaty. And the single most important criterion for the offensive agreement should be to create the necessary political climate in the United States and the Soviet Union to permit both countries to abide by the ABM treaty.

Focusing on the problem of the clever briefer does not yield criteria for arms control significantly different from those produced by other methods of analysis, but it does provide an alternative point of view and suggests some different nuances of interpretation. It points our attention away from excessive concern with the technical calculations of likely war outcomes, and towards consideration of the kinds of simple arguments and simple logic which can and cannot be presented. For example, a sophisticated person might, in a certain situation, understand a complicated argument that a first strike would be successful. That situation would be less dangerous than one in which a relatively simplistic argument could be made for a first strike even if that argument were less soundly based on technical and strategic analysis.

Crazy Leaders

So far, the calculations about a clever briefer's influence have assumed that the leader himself is sane. The chance that the leader, too, might be unbalanced creates an additional weak link in the chain of restraint within the war command.

It is not often enough recalled that only 30 years ago a large proportion of the world's military power was under the control of the most prominent madman of recent history. Twenty years ago one of the two major powers was ruled by Joseph Stalin, who in his worst moments verged on a Hitler-like madness. As for the other major power, the examples of Lyndon Johnson during the months immediately after Tet, and Richard Nixon at several points in his career, raise at least the suspicion that, in times of stress, America's nuclear forces might be under the direction of a less than fully rational and cautious leader.

The modern day Stalins and Hitlers—the Nikos Sampsons and the Idi Amins—have so far risen to prominence only in the smaller countries, a distinction that will be of less importance as nuclear materials spread more and more widely. In any case, it takes only one man, for a brief period of time, to make the crucial mistake.

Because we cannot rule out the possibility that a crazy leader will in fact come to power in the United States or the Soviet Union, and be-

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cause large systems can get out of control, we cannot ignore the danger of maintaining for the indefinite future a posture in which both the United States and the Soviet Union have the overwhelming power to destroy each other. However, the solution often proposed for this problem—developing war-fighting capabilities which target the missiles at the other side's weapons rather than its people—may create more dangers than it removes. As we have seen, development of war-fighting capabilities may lead military officers to lean more strongly toward a nuclear attack than they otherwise would. Moreover, the development of these capabilities and the consequent plausibility of arguments for nuclear war reduce the degree to which a leader has to be crazy to decide that he should attack.

How can we reduce the problems posed by the potentially crazy leader? One way is to reduce the likelihood of conflict which might lead to strategic nuclear war. The major powers' settlement on the Berlin question, for example, has substantially reduced the probability of a clash in the center of Europe. A Middle East settlement would be another important step toward stability.

We also should consider steps to reduce the destructive power available to both sides. For this reason it is important to actively pursue proposals for the gradual reduction and phasing out of the strategic forces of both sides. In the current political climate, each side would probably reject measures that appear to reduce its ability to retaliate; but both sides may be willing to negotiate agreements that reduce strategic capability on each side but still leave them with adequate retaliatory forces. Gradually, both sides may come to accept permanently a level of destruction much lower than the present level, provided, of course, that their smaller retaliatory force assures them that the other side could not get away with a successful first strike.

It may also be worth exploring measures that increase the reaction time of strategic forces, in the hope that between the time the decision to launch a nuclear strike is made and when the strike is actually launched, saner influences would have a chance to intervene. As long as bombers are an integral part of attack and are intended to arrive on target simultaneously with the missiles, there will be a substantial delay time. In the case of submarines, we should consider keeping them out of waters from which they are capable of launching an attack against enemy targets; this would increase reaction time but, since submarines are relatively invulnerable, would not diminish retaliatory capability.

Myopic Analysts

The "clever briefer" and "crazy leader" problems focus attention on what can go wrong with split-second decisions made during a crisis. The myopic analyst problem directs attention to reducing the costs and risks of the arms race as they affect decisions to build and deploy strategic forces.

We know very little about how the Soviets interpret America's strategic planning. Even though the United States provides Soviet intelligence with substantial information about what we plan to do and the official reasons why, we do not really know how the Soviets view this information and what conclusions they draw. If our own experience in trying to understand Soviet decisions is any indication, their understanding is imperfect at best.

In the long run, the scope and pace of American strategic weapons decisions are significantly influenced by our predictions about Soviet plans. For example, in the mid-1960s the U. S. decided to begin deploying MIRVs, a decision justified, and in part impelled, by intelligence predictions that the Soviet Union might be deploying one or two large ABM systems and enlarging its force of strategic offensive missiles.

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But these predictions were wrong, and they illustrate how myopic analysts can fuel the arms race. Early in the 1960s, the Soviet government began deploying a large system of surface-to-air missiles in an arc beginning in the Estonian city of Tallinn. When American intelligence officials spotted the first deployments, they immediately directed their attention to the potential capability and functions of the system. This analysis proceeded, as is typical, at two levels —collecting physical evidence, and deducing strategic purpose. In the case of Tallinn, these two methods of analysis produced very different conclusions. The physical evidence, limited and ambiguous as always, suggested that the system was an air-defense system designed to shoot down the kind of high-flying long-range bomber the United States had considered building in the late 1950s and early 1960s and then had rejected. The attempt to determine Soviet strategic purposes went in a very different direction. Analysts pointed out that the United States was not building this bomber, but was deploying a very large strategic offensive missile force. Thus, they suggested that this new Soviet deployment was more likely an ABM system. They argued that the Soviet Union simply would not waste money building an air defense system against a nonexistent bomber force. Even as evidence piled up that Tallinn was not an ABM system, some of the military and intelligence agencies resisted resting their case primarily on their apparently "logical" strategic analysis.

They were making the classic mistake of the myopic analyst: treating the opposing nation as if it were a single rational individual. They assumed that Soviet strategic decisions grow directly from clear strategic purposes and therefore indicate Soviet military objectives. But since it is now clear that Tallinn is an air defense system and not an ABM, this should raise some doubts about conventional strategic analyses. It should also suggest another kind of analysis, which would take into account the organizational norms, the bureaucracies, and the domestic politics of the Soviet Union. This approach might help us understand the considerable gap that often separates the strategic intentions, and the actual force deployments that result after the complicated interplay of bureaucratic interests and political leadership.

Costly Misperception

History is full of examples of myopic analysis. In 1956, the Hungarian Freedom Fighters appear to have believed that Radio Free Europe broadcasts were a clear signal that the United States would come to their aid. In fact, the broadcasts were the result of decisions by the Radio Free Europe staff and did not reflect high-level policy. Another sort of policy myopia may have affected the Soviet decision to send military forces into Czechoslovakia in 1968. American analysts assumed, on the whole, that the Soviets would base their decisions on cold calculations of national interest in Eastern Europe, and that American behavior would not influence them. In fact, it now appears that the Politburo was very sharply split on the Czech question, apparently along bureaucratic lines. An American statement hinting at possible American involvement might well have altered the balance within the Soviet leadership.

The last few decades have seen many other examples of costly misperception. During the Korean War, the American command seemed not to believe that the Chinese would intervene, while the Chinese read signals from the U. S. as indicating that we were actually going to cross the Yalu and invade China. During the Suez crisis, England and France fundamentally misunderstood American intentions.

The second World War also revealed serious misperceptions—Hitler's failure to pursue a coherent bombing

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campaign against Britain, the American failure to anticipate Pearl Harbor, the Soviet unwillingness to prepare for a German invasion, etc. Many of these cases are at least partly explicable by one side's failure to recognize that the other side consists of powerful and competing organizations and leaders.

The hazards of myopic analysts point up the need for improved understanding of the other side's strategic decisions, if the arms race is to be brought under control and if both sides are to avoid periodic scares. One clear need is for the United States to substantially increase its research on Soviet military organization and on the style of Soviet decision-making. More important, and in some ways easier to accomplish, is the need to induce political leaders and strategic analysts to frame their questions in terms of organizational patterns and bureaucratic decision-making.

From the other point of view, the U. S. should make some effort to consider how our own strategic deployments will look to the Soviet Union's myopic analysts. Perhaps they can be explained in ways which will reduce the chance of misperception.

One other way to deal with the myopic analyst problem is to increase direct communication between the two countries on the meaning of a new weapons system or on a particular deployment of forces. Recent agreements have called for the creation of a special commission which would allow each side to inquire into the meaning and purpose of the other side's strategic moves. Even if the formal sessions of such a commission were too starchy to go into real motives, one can hope that private conversations and contacts among members would yield to frank exchanges about bureaucratic and organizational motivations. These might permit analysts on each side to get a better reading of the other side's intentions and take us all one step further from the risk of unintentional or miscalculated annihilation. ■

The Screwing of the Average Man

A Washington Monthly Book by David Hapgood Coming in October from Doubleday

If you earn your living by drawing a salary, you're probably being screwed. If you aren't rich and powerful, you're almost certainly being screwed.

This book tells you how—not with the stridency that usually protests social injustice, but with a literate wit that once you stop laughing will make your blood boil even more.

It's the first book to expose all the major screwings the average man is heir to—including those administered by lawyers, doctors, bankers, and insurers. It is also the first to explain why the poor know they're being screwed but the average man doesn't.

The reason is that he is given just enough crumbs from the table of the mighty to keep him hoping for more instead of complaining about the little he's getting. His $50 tax deduction silences protest about the millions saved by the rich. The average man is thus today's version of the house nigger of the Confederacy, so grateful to be inside with the rich folks that he forgets he's still a slave. After reading this book, he'll never forget again.

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Crazies by the Tail: Bay of Pigs, Diem, and Liddy

by James Fallows

P . . . Well who was the asshole that did? Is it Liddy? Is that the fellow? He must be a little nuts!

H He is.

P I mean he just isn't well screwed on is he? Is that the problem?

June 23, 1972

A few weeks after the White House transcripts were released, *The New Yorker* invited several dozen prominent figures to report their reactions. Joseph Califano, who had been Lyndon Johnson's assistant for domestic affairs, said, "The contrast with the Johnson White House is enormous. I think it's an utterly amoral discussion. . . . It really is a group of amoral people saving their own skins." Arthur Schlesinger, the in-house historian of the Kennedy years, said, "Nixon was always proud of his historic firsts, and this beats all his predecessors in sleaziness."

As befits men whose own administrations have passed the torch to the leaders of today, Schlesinger and Califano are modest about the legacy their presidents created for Richard Nixon. The President himself, in his famous "Lyndon Johnson's Words to Me" speech, has been less restrained about his predecessor's contribution to his own thought about presidential papers and the IRS code. In the interest of historical fairness, one should also mention Dwight D. Eisenhower's efforts in this direction; years ago, Nixon observed first-hand the way a special congressional tax break on the royalties from *Crusade in Europe* made the General a wealthy man.

The modesty of the Schlesingers and Califanos, attractive as it may be, has had the lamentable side effect of contributing to a gap in Watergate scholarship—the neglected study of those great presidential traditions Richard Nixon carried forward. In his understandable eagerness to be "first" in as many fields as possible, Nixon, himself, has sometimes slighted the contributions of the past. When the national security wiretaps started to make headlines, who was there to remind us of the Kennedys' seminal work in this field, the Martin Luther King Internal Security Taps? Patrick Buchanan and his associates made a few stabs in this direction, but even they have overlooked many items. When Herbert Kalmbach went to jail for "selling ambassadorships," how many remembered that one in seven of John Kennedy's major appointments in 1960 went to a person who had given at least $500 to the Kennedy campaign, or that the same one-in-seven ratio held for Lyndon Johnson's major appointments in 1964?*

Nor was Nixon the first president to forge links between the party treasury and the American business com-

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*The $500 figure is really an iceberg's tip, for until the last few years a sort of "honor code" among candidates, contributors, and the press facilitated drastic under-reporting of contributions. That makes the following figures for Kennedy appointees the more impressive: Harold Linder, $12,600, appointed director of the Import-Export Bank; Hickman Price, $5,000, Assistant Secretary of Commerce; John Rice, $5,000, ambassador to The Netherlands; Angier Biddle Duke, $4,250, chief of protocol; and John Gleason,

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munity. For distribution at the 1964 convention, the Democratic National Committee prepared a 96-page "program" and sold space in it for $15,000 a page. Both parties had used programs before as a means of generating money; the difference this time was the scale. Twenty-seven major defense contractors took space, as did 16 trucking firms. Far from being considered illegal corporate gifts, these advertising costs were tax deductible as legitimate business expenses.

The history of antitrust settlement had also been overlooked. Nixon's ITT case was hailed as a major departure, in disregard of Lyndon Johnson's precedent. On June 17, 1966, less than a month after August A. Busch and two of his employees had contributed $10,000 to Johnson's "President's Club," the Justice Department decided to drop an antitrust suit against the Anheuser-Busch brewing corporation. Two Republican Congressmen, Gerald Ford and Charles Goodell, began complaining about the decision late in July; before that time, but after the June decision, Vice President Humphrey and the head of the antitrust division of the Justice Department, Donald Turner, had taken a ride to St. Louis in Busch's private plane to watch the All-Star baseball game in Busch stadium. Ford and Goodell stopped short of calling the deal corrupt, but as Ford said at one point, "the linking of political contributions and dismissal of antitrust suits was too much of a coincidence to be ignored."

Even in the procurement of extra emoluments for the President's personal enjoyment, Richard Nixon has not exactly been blazing a new trail. In provisioning San Clemente for his post-presidential reflection, the President was again working in the mold of The Good General, who carefully prepared for the golden years at his farm in Gettysburg. The farm itself was something of a giant emolument; one time, after Eisenhower had made a speech lamenting the loss of American gumption, Wayne Morse took the Senate floor to point out that most of the general's livestock, furnishings, and accessories on the farm had been gifts from "friends" representing large private interests.

Lyndon Johnson's ascent to financial security was just as much a Horatio Alger story as Eisenhower's. LBJ entered public life a man of modest means and retired, after earning no more than $24,000 per year in the Congress and $100,000 as President, worth tens of millions of dollars. The details of this miraculous rise may unfortunately be lost to history. They were spelled out with precision and some venom in J. Evetts Haley's book, *A Texan Looks at Lyndon*. Although the book was a best-seller in the Southern California of my youth, neither libraries nor respectable bookstores seem to stock

Jr., $2,500, director of the Veterans Administration. Among the Johnson appointees: Raymond Guest, $11,000, ambassador to Ireland; Roger Stevens, $18,000, chairman of the National Council on the Arts; George Feldman, $5,000, ambassador to Malta; Ed Clark, an old friend of LBJ's, $3,000, ambassador to Australia; Harold Linder once more, $61,000; another repeater, Angier Biddle Duke, who gave $5,460 and was appointed ambassador to Spain.

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it any longer. But it is clear, even without Haley, that the Johnson broadcasting stations in Texas, fortunate in obtaining government licenses, were the main element in his success. And even now Lyndon's good fortune persists. Just last March it was revealed that, as part of a bargain struck before LBJ left the White House, the Associated Milk Producers has been paying the Johnson family corporation $94,000 per year for the "use" of a 13-seat plane bought by the milkmen and based at the LBJ ranch.

So there is a breath of truth in the old Nixon-loyalist line, "They all do it, he just got caught," and in Pat Buchanan's comments about excessive piety among those who denounce the President. The breath of truth is that Nixon's offenses lie along the same line as those of his predecessors. Of course they are so far out over the horizon on that line that they constitute a grotesque exaggeration of what went on before, as well as making the case for impeachment. But this difference in degree should not blind us to the similarity in kind between the Nixon offenses and those of Kennedy and Johnson. Another way to see the similarity is to compare Nixon's Watergate with the two major failures of the Kennedy and Johnson administrations, the Vietnam decisions and the Bay of Pigs. There are surprising parallels among the states of mind that drew all three presidents into the mire.

1. A Crazy by the Tail

Even the worst account of Richard Nixon's character rarely contends that Nixon personally ordered Gordon Liddy and the burglars into the Watergate Hotel. Indeed, the White House evidence makes it clear that those who knew Liddy alternated between hilarity and terror at his James Bond posturings, while Magruder and Mitchell who were "responsible" for him in the CRP chain of command, were appalled by his grandiose espionage plans.

All this meant that, when Liddy and the Cubans were arrested, the response from the higher-ups was slightly different than it would have been if a hand-picked crew with signed orders from the President in their pocket had been caught. In his recent book, Magruder describes the scene on June 18, when Liddy phoned him in California with the news:

"Liddy, what the hell was McCord doing inside the Watergate?" I demanded. "You were supposed to keep this operation removed from us. Have you lost your mind?". . .

I didn't know what to tell Liddy. The situation was beyond my comprehension. I only knew that McCord's arrest was a disaster, because he was the CRP's security chief. . . .

"Oh, God," I moaned. "Why didn't I fire that idiot Liddy when I had the chance? How could we have been so stupid?"

So from the first, Magruder felt that "we" may have been stupid (for hiring someone like Liddy) but it was "you" and "they," that idiot Liddy and his burglars, who really messed things up. All the "responsible" people knew that *they* would never have created such a nightmare; but the madman allies had, and now that it had happened, they had no choice but to do their best to cope. It was a stupid situation, and someone else was really to blame, but all you could do now was to try to clean it up.

If they had it to do over again, everyone except possibly Liddy would probably prefer to have come clean from the start. At the time, however, that was a course of many perils. Largest of those perils was, of course, the upcoming election (as John Dean told the President on March 21, "We decided there was no price too high to pay to let this thing blow up before the election"), but another great impediment was the band of spooks. Who could tell what would happen if everyone started telling the truth? Liddy and Hunt might feel obliged to talk about Daniel Ellsberg and Dr.

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Fielding, the Cubans would say something about "national security" and implied orders from the White House, and (this was Magruder's fear) Liddy would start thinking about shooting Magruder. And so the cover-up began, an unpleasant duty imposed on reasonable men by a bunch of nuts.

A Disposal Problem

While there is no obvious parallel in the Kennedy and Johnson administrations to this sort of in-house criminality, the same messy, unpleasant situations did occur. The Bay of Pigs is the clearest illustration, for it involved not only the clandestine "operating" arm of the CIA, which was the Hunt and Liddy of its day, but also the Cuban freedom fighters the CIA had trained. On arrival in the White House, John Kennedy was confronted with Allen Dulles' foolproof plan for liberating the Cuban populace. Dulles' imprimatur was formidable in itself; during the 1950s John Foster Dulles had trusted his brother's CIA more than he had trusted his own men in State, and that, combined with the agency's highbrow recruits, gave it an influence it does not know today.

During the Bay of Pigs deliberations, John Kennedy several times broke through the CIA's arguments and was ready to cancel the plans. But each time he did, Allen Dulles helpfully reminded him of the plain fact that he was stuck with the Cuban freedom fighters. As Arthur Schlesinger says in *A Thousand Days*:

"The determination to keep the scheme alive sprang in part, I believe, from the embarrassment of calling it off. As Dulles said at the March 11 meeting, 'Don't forget that we have a disposal problem. If we have to take these men out of Guatemala, we will have to transfer them to the United States, and we can't have them wandering around the country telling everyone what they have been doing.' What could one do with this 'asset' if not send it on to Cuba?"

They had a whole army of Liddys on their hands, and they had to do something. Kennedy said he learned many lessons from the Bay of Pigs, but even before the invasion had disappeared from the headlines, he was confronted with a similar situation demanding short-run solutions. In Vietnam, the U. S. was lining up behind the type of allies that no President, let alone one as sensitive to the practicalities of winning as Kennedy, would have willingly chosen. The Pentagon Papers are filled with slighting references to Ngo Dinh Diem and the leaders who succeeded him. To take one example of many, General Maxwell Taylor's report of November, 1961, devotes a special section to "the famous problem of Diem as an administrator and politician." When Lyndon Johnson finished calling Diem the "Winston Churchill

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of Asia," he told Stanley Karnow, "Shit, man, he's the only boy we got out there."

In its way, this attitude could help American officials rationalize some of the early deceits: we were just trying to cope with this joke government we've got in Saigon, and besides, Kennedy was going to pull the troops out after the 1964 election anyway. In his new book, *The Glory and the Dream*, William Manchester suggests that the first monumental deceit of the war was also a by-product of the we're-stuck-with-these-guys mentality.

During the Kennedy years, the American idea in Vietnam had been to beat those resourceful guerrillas at their own game. Were they sneaking down from the North, roaming the land by night and hiding among protective villages during the day? Then we would turn the tables, ship "our" guerrillas from South Vietnam into the North and let them do the job in the same cool, tough-minded way as the other side.

The plan for doing all this was called 34A, and it was not finally put into action until after Kennedy's assassination. In late 1963 and early 1964, South Vietnamese PT boats shipped squads of guerrillas to the North, where they were to install themselves among the people and do what the other side's guerrillas were doing in the South. It all went fine except for one thing: no one in the North liked our guerrillas, and every shipment of them was betrayed and eradicated.

So 34A was a disaster; as of that moment, our participation in the war was deprived of its original rationale. But instead of admitting it, we tried to do something with the PT boats and the South Vietnamese we had on our hands. McGeorge Bundy and General Harkins, who were directing the plan, decided to keep the boats busy by sending them on torpedo raids against North Vietnamese shore installations. The *USS Maddox* was accompanying one of these missions—attempting to draw fire from the North Vietnamese batteries, so that the PT boats could then locate and attack them—when the North Vietnamese sent their own PT boats out to intercept it. This was the first step in the Tonkin Gulf "attack," which led to the Tonkin Resolution. In the official version of the story, of course, no one mentioned 34A or the South Vietnamese boats. From the 34A adventure the government found out essentially the same thing it had learned at the Bay of Pigs—that "our" guerrillas couldn't even get off the beaches because the villagers were not exactly running out of their houses to meet them with baskets of food and offers of help. Of course, the Bay of Pigs planners had been slightly more cynical about the Freedom Fighters' chances of success; in preparing the brigade for the big invasion, the American instructors did not even bother with the pretense of teaching them what to do once they made it into the hills. The idea was to get them on the beach and then let the U. S. Air Force clear the path from there.

2. The Can-Do Guys

The Vietnam era is full of inconsistencies, and one of them is this: the Pentagon Papers indicate that the President had been getting the bad news from the word go, while those who worked in the White House at the time say that no one ever told the President the worst. There is an explanation for this difference, and it lies in the two worlds of government.

The CIA has always been, in effect, two agencies, which reflect these two styles of government. On the one hand, there is the "clandestine," James Bond wing, inheritor of the OSS and the spy tradition, which has left its mark from the Bay of Pigs to the poppy fields of Laos. Then there is an "intelligence" or analysis branch, which serves much the same function as similar bureaucracies at the State Department or elsewhere. It was the people in this branch, the career civil

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servants, who produced during the 1950s and '60s the reports about Vietnam which, when collected in the Pentagon papers, now seem so prescient.

The good side of this bureaucratic culture is that it places a premium on covering one's ass, which in turn involves considerable flirtation with telling the truth. The main risk a bureaucratic adviser faces is that, after an adventure has gone sour, someone might look back at his report and see that he had left out a crucial fact. So, any piece of information which, in retrospect, he *should* have known about, the bureaucrat crams into his report. Thus, if you look through the Pentagon Papers, you will see, on page 138, that Diem was shaky, and on page 924 that it would take a half million men or more to prop the country up, and on page 2076 that we couldn't win anyhow.

But because the dominant emotion was so clearly survival rather than any white-heat frenzy about telling the truth, once the bureaucrats had covered themselves within the chain of command they were very, very slow about going outside with their views. Now that the Pentagon Papers have revealed the existence of so many truth-telling heroes in the CIA, you may wonder why we never heard from any of them when the war was actually going on. Chester Cooper, a former CIA analyst, describes in his book, *The Lost Crusade,* what happened. Cooper's own reports were full of gloom, but when he went to the National Security Council meetings as a spear-carrier for the official agency spokesman, it was different: "The President, in due course, would announce his decision and then poll everyone in the room—Council members, their assistants, and members of the White House and NSC staffs. 'Mr. Secretary, do you agree with the decision?' 'Yes, Mr. President.' 'Mr. X, do you agree?' 'I agree, Mr. President.' During the process I would frequently fall into a Walter Mitty-like fantasy: when my turn

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came I would rise to my feet slowly, look around the room, and then directly at the President, and say very quietly and emphatically, 'Mr. President, gentlemen, I most definitely do *not* agree.' But I was removed from my trance when I heard the President's voice saying, 'Mr. Cooper, do you agree?' and out would come a 'Yes, Mr. President, I agree.' "

In their new book, *The CIA and the Cult of Intelligence*, John Marks and Victor Marchetti give another illustration. After the Cambodian invasion in 1970, several hundred employees from the intelligence division, not from the clandestine branch, signed a petition of protest:

"Director Richard Helms was so concerned about the prospect of widespread unrest in the agency's ranks and the chance that word might leak out to the public that he summoned all the protestors to the main auditorium and lectured them on the need to separate their personal views from their professional duties. At the same time, similar demonstrations on the Cambodian issue were mounted at the State Department and other government agencies. Nearly every newspaper in the country carried articles about the incipient rebellion brewing in the ranks of the federal bureaucracy. The happenings at CIA, which were potentially the most newsworthy of all, were, however, never discovered by the press. . . . CIA employees had conducted a secret protest."

'Keep in Mind, Mr. President. . .'

To their credit, the bureaucrats did speak up, unlike their brothers, the secret agents. Principled outrage had never been the clandestine branch's strong point; when they were busy assassinating Vietnamese double agents or unloading the latest shipment of opium from an Air America charter, the operators rarely knocked off for a few minutes to draft a petition to Helms. The operators lacked that moral tripwire that made the bureaucrats protest. But, having protested within channels, the bureaucrats weren't about to break the rules or risk their jobs by going outside.

A Washington editor for a New York publishing house, Lois O'Neill, says she has a hard time explaining the bureaucratic side of government culture here to people in New York, because New York is an operator-type place. A city based on high risks and fast rises, as New York is, has difficulty grasping the cover-your-ass survival ethic that explains so much about the world of the civil servant.

The same sort of cultural gulf exists within Washington, because the White House staff, too, is a high-risk, can-do outfit. The men around the President are there because they can get things done, and they know that mere caution will not get them far. Their influence today and their hope of more influence tomorrow depend on exhibiting those bright flashes that will catch the President's eye, and not on covering themselves like the bureaucrats. You can sympathize with the President's need for such can-do men when you imagine him in the Oval Office, awash with CIA and State Department reports so balanced and so carefully hedged that it's impossible to figure out what to *do*. When the President wants that kind of touching-all-the-bases advice, he can phone up the Bureau of National Estimates at the CIA. But when he reaches for his right-hand man, it's because the doubts are over and it's time to go to work.

Since the Watergate tapes deal mainly with the inner circle, it is no surprise that so much of their advice is of the how-to-do-it variety. Amid tough competition, Ron Ziegler must certainly win the award as the can-do Pangloss of all the Nixon courtiers. During the early conversations when Haldeman, Ehrlichman, and Dean are saying yes, boss, we can pull through, Nixon, too, seems to share their

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general optimism. But in his talk with Ziegler and Haig on June 4, 1973, Nixon sounds like he knows it is all over. The White House tape system had not yet been revealed to the public, but Nixon had been sitting down in his office and listening to the crucial tapes. What he heard did not make him happy. He tells Ziegler:

"I don't know what the hell I was saying here, but I said, 'You know, the thing here is that Magruder, Magruder put, put the heat on, and Sloan starts pissing on Haldeman. . . .' I said, 'We've got to cut that off. We can't have that go to Haldeman. . . . I suppose charges that could be made, (Dean) could say there that I was telling him to cover up, wouldn't you say, for Haldeman?"

Here we have a President glimpsing the truth, but an instant later we have Ziegler, the perfect courtier, telling him there's nothing to worry about:

Ziegler: "All of this relates more to political problems before the Ervin committee and charges that could be made.'

Nixon is still worried: " 'Magruder can be the one, one guy,'. . . . And I said, 'We've got to cut that back. That ought to be cut out.' "

Ziegler: "But keep in mind, Mr. President, you were not at this point talking about the final. What you're talking about is the Ervin committee hearing. Now there's no illegality in having received information, you see."

President: "Yeah."

Nice Guys Finish Last

The Nixon men did, of course, have an incentive toward optimism that was absent from the war decisions: abandoning the cover-up is less attractive when it means going to jail yourself. But even without this inducement, any White House creates formidable strictures against the *can't*-do mentality. When dissenters became Messrs. Stop-the-Bombing during the war, they were eventually elbowed away from the center of activity. Many of them, before registering their dissent, must have pondered how bad it would look if the adventure finally *did* succeed, and they had been found wanting at the testing time.

The fate of Adlai Stevenson was an instructive example. He had complained and dissented during the Cuban Missile Crisis, warning that the blockade would not work. When it was over and had turned into a success, the Kennedys zeroed in on Stevenson. Stewart Alsop and Charles Bartlett wrote the authorized history of the crisis for *The Saturday Evening Post*; among a dozen brave men in their gallery is the portrait of one coward, the weakling Stevenson, who had gone so far as to propose trading away American missiles in Turkey for the Russian ones in Cuba.

"I was rather close to the President, and I know that he was very upset by Stevenson's proposal," Bartlett said recently. "He knew that the missiles in Turkey were outdated, but the idea of bargaining them away as a sign of weakness was appalling to him." What the President didn't tell Bartlett—and what Bartlett apparently didn't read in Robert Kennedy's book about the crisis—is that Bobby Kennedy himself secretly made the same offer to the Russian ambassador, at his brother's request. Since nearly all the principals are dead, it remains a matter for speculation: why did the Kennedy brothers feel they could make this secret gesture in the interests of peace, but then go to some effort to destroy the man whose protest, after all, had been made not in public but within the confines of the White House meeting, just the place where Presidents are telling their advisers not to be afraid to speak their minds. Part of it might have been resentment at Stevenson for not stepping aside before the 1960 convention and sparing Kennedy a floor fight; part, some confused anxiety about their secret "weak " gesture, so much at odds with their tough public stance;

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and part, some guilt that Stevenson had been the one to recommend what they knew was the "right" gesture for peace.

The Stevenson of the Nixon era is Richard Kleindienst. Despite his ITT perjury, Kleindienst was relatively clean on the Watergate affair. He survived his first deviation from the can-do philosophy—turning down Gordon Liddy's golf course request to spring the burglars—but he did not survive his second. Soon after he told the President that someone had to inform Judge Matt Byrne about the Ellsberg break-in, Kleindienst was dropped in a pointedly vindictive way. In April, 1973, Nixon announced the resignations, under a cloud, of four top officials. They were Haldeman, Ehrlichman, and Dean, the three main conspirators, plus Kleindienst, who was the only one of the four to resign on principle rather than be forced out, but who was lumped in the public mind with the black sheep.

The Leaker Is the Enemy

In one passage on the tapes, Nixon gives quite remarkable expresion to this contempt for the White House weaklings. After John Dean promises him he will never, never leak about the goings-on, Nixon says, "I was reading a book last night. A fascinating book, although fun book, by Malcolm Smith, Jr., on Kennedy's Thirteen Mistakes, the great mistakes. And one of them was the Bay of Pigs. And what had happened, there was Chester Bowles had learned about it, and he deliberately leaked it. Deliberately, because he wanted the operation to fail! And he admitted it! Admitted it!"

In this one statement Nixon reveals what's really behind the continued presidential failures. If you believe that Chester Bowles caused the Bay of Pigs, that the leakers are the villains, then you haven't come very close to understanding what really went wrong.

While presidents may be understood, if not excused, for their belief that the leaker is the enemy, a lot of us outside the White House have the same idea in our heads. When the Judiciary Committee leaked its "stonewall" quote—"I want you to stonewall it, take the Fifth Amendment, cover up. . . ."—the general reaction was to pay more attention to the problem of leaks than to what the President actually said. The story received no prominence on the networks, was run on page nine of *The Washington Post* and page 24 of *The Washington Star-News*, and got similar treatment from all the other papers except the one that broke it, *The Los Angeles Times*. Mike Mansfield gave a solemn speech about the horrors of leaking, and since Mike Mansfield never says anything bad about anybody, this was harsh criticism indeed. During this same period, hard as it is to recall, the momentum seemed to be running in Nixon's favor and against impeachment. Some journalists, like Joseph Kraft, appeared not even to have seen the story; a few weeks later, when the evidence was officially out, Kraft wrote a column blaming the committee members for not highlighting the quote. By that time, a curious double-echo effect kept the story from becoming big news. Because of the previous leak, it was already "old news." Only *Newsweek*, which ran the quotation on its cover, gave the story the prominence it deserved. Until the President's own revelations, it was the single most damaging piece of evidence against him.

What this fear of the leak finally boils down to is not just a fear of malicious comment but a fear of the truth. You can't stand to have Liddy or the Freedom Fighters talk about what you've been doing, so you go deeper into disaster trying to shut them up. How much better it would have been to have paid the price for cutting the losses early, by admitting we couldn't prop up Diem, letting the Freedom Fighters say that Kennedy had abandoned them, or even buying Jeb Magruder a bullet-proof vest. ■

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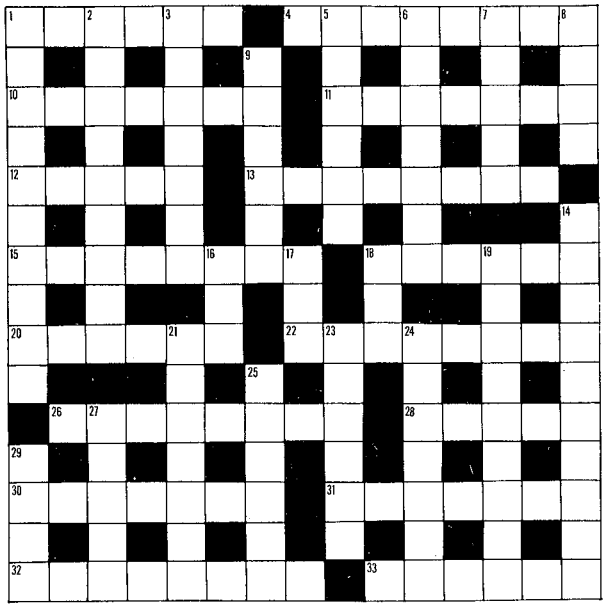
the political puzzle

by John Barclay



ACROSS

1. Judiciary Committee figure indoor. . . (6)
4. . . . and at outhouse portal? (4,4)
10. Unctuous products of sad poem. (7)
11. Big Leon is not big at all. (7)
12. Money with kin would make a fine jacket. (5)
13. Thus can rare goat take lion's share. (8)
15. Response to new rains. (2,6)
18. Terminate organ to become loved? (6)
20. Help in class is the most useful. (6)
22. Licit sop is mother's milk in Washington. (8)
26. Top verse can go beyond proper limit. (8)
28. Nixon men answer charges in simple advertisement. (5)
30. Open hands to see plans in Berkeley campus. (7)
31. Where commuter may be when he is not at home. (7)
32. Short Warsaw magazine leader is suave. (8)
33. Changes in shapes. (6)

DOWN

1. Make plain Bruce come to party. . . (10)
2. . . . and darts come too. (9)
3. Sun worshippers find Sid nuts. (7)
5. Down by Rosie's willows. (6)
6. Old horse in mid-day is many-sided. (7)
7. Go round rib to go round. (5)
8. He is sure he is sorry. (4)
9. Tea set is all that he has left. (6)
14. Dick, Harry, et al. net spiders. (10)
16. Back or blanket. (3)
17. He figured to get a good long sleep. (3)
18. General is slippery coming back. (3)
19. Mid-pieces are widely spread. (9)
21. Mixed-up skaters go in spurts. (7)
23. Why is Pope so sure to be against it? (6)
24. What to do with top man, i.e., champ. (7)
25. Flour stored on plates. (6)
27. In spoken objection to salvo calculation. (5)
29. Shouldn't this shoe be waterproof? (4)

The numbers indicate the number of letters and words, e.g., (2,3) means a two-letter word followed by a three-word letter. Groups of letters, e.g., USA, are treated as one word. Answers to last month's puzzle are on page 26.

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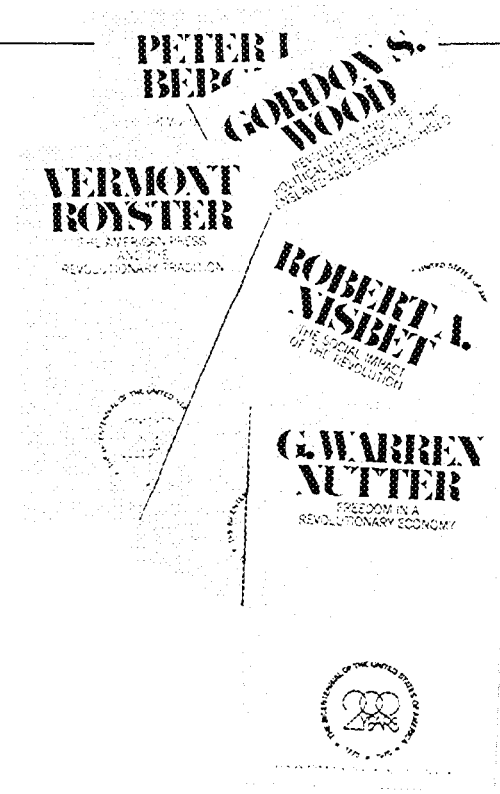

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The Breakdown of the Old Politics. Thomas A. Laine. Arlington House, $8.95.

The Cold War Begins: Soviet-American Conflict Over Eastern Europe. Lynn Etheridge Davis. Princeton, $15.

Consumers in Trouble: A Study of Debtors in Default. David Caplovitz. Free Press, $10.95.

Employment and Earnings Inadequacy: A New Social Indicator. Sar A. Levitan, Robert Taggart III. Johns Hopkins, $6.00/2.50.

Energy for Survival: The Alternative to Extinction. Wilson Clark. Doubleday, $12.50.

The Entrepreneurs: Explorations within the American Business Tradition. Robert Sobell. Weybright & Talley, $12.50. Short, competent, generally interesting biographies of nine men who built business empires, including John Wanamaker of department store fame, James Buchanan Duke of tobacco and universities, and David Douglas, whose airline company lost the post-war race with Boeing. Although Sobell does not pull the portraits together, one fascinating theme emerges: every one of these successful entrepeneurs had as his dream rubbing out the other entrepreneurs and making himself a monopoly.

Ethno-Religious Politics. Henry J. Pratt. Schenkman, $4.40.

The Failure of United States Energy Policy. Richard C. Mancke. Columbia, $10/2.95.

FDR's Last Year. Jim Bishop. Morrow, $12.50. Bishop's usual weaknesses—a tendency toward shallowness in his thought and journalese in his prose—are much less evident in this thoroughly fascinating account of the year that ended April 12, 1945.

Foreign Policy and the Bureaucratic Process: The State Department's Country Director System. William I. Bacchus. Princeton, $14.50.

The Incredible Pierpont Morgan. Cass Canfield. Harper & Row, $17.50.

Innocents at Home: America in the 1970s. Tad Szulc. Viking, $10. Szulc, the renowned foreign correspondent for *The New York Times*, set out five years ago "to write a book as if I were a foreign correspondent from a faraway country engaged in the process of discovering this land." Although he refers again and again to the thousands of miles he has traveled and the states he has seen, the yield from the journey is a collection of the commonplace and the cliched. Surprisingly, for a reporter of Szulc's skill, only in two brief sections does the book have the authoritative tone of first-hand observation (one is a discussion of suburban social trends, the other, politics in Berkeley). More frequently, the evidence is familiar ("breakfast cereals, once the byword of American children, were revealed to be full of nothing but artificial additives. . . ."), the insights obvious ("after an extensive exploration of the problem, I have come to believe that the solution, if there is one, lies in removing the causes of poverty

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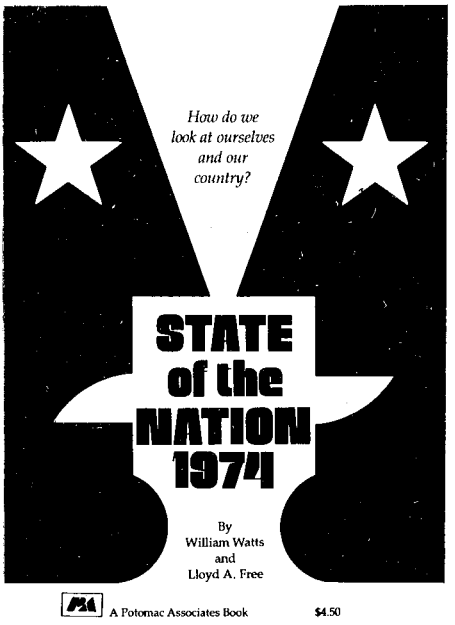

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William Watts *is president of Potomac Associates and co-editor of* Beyond Containment: U.S. Foreign Policy in Transition (1973). *He served in the U.S. Foreign Service in Moscow and Seoul, and in the Office of Mainland China Affairs in the State Department, and was staff secretary of the National Security Council in the White House in 1969-1970.* Lloyd A. Free, *president of the Institute for International Social Research, affiliated with The Johns Hopkins University, served as editor of* Public Opinion Quarterly *and has been an adviser to Presidents Eisenhower, Kennedy, and Johnson.*

Project study members include: Edwin L. Dale, Jr., The New York Times; *Harold C. Fleming, president, The Potomac Institute; John Herbers,* The New York Times; *Gladwin T. Hill,* The New York Times; *Ronald J. Ostrow,* The Los Angeles Times; *Francis E. Rourke, The Johns Hopkins University; Walter Slocombe, attorney and former member of the National Security Council staff; and Robert W. Tucker, The Johns Hopkins University.*

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and social distortion rather than simply doing away with welfare"), and the eye for detail alarmingly off (he refers to the terrorist actions of the '60s as "thrashing").

International Almanac of Electoral History. Thomas T. Mackie, Richard Rose. Free Press, $15.

Justice in Everyday Life: The Way It Really Works. Howard Zinn, ed. Morrow, $10. Howard Zinn has been an enthusiastic advocate of history "from the bottom up." This book attempts to use the technique in looking at contemporary American society. Written in the form of case histories, the best accounts document instances of terrible treatment of the poor at the hands of society's institutions, such as the courts, prisons, and hospitals. What detracts from the effectiveness of this approach is the refusal to let the stories tell themselves, the tone of strident, generalized outrage ("The Constitution cannot protect us from the greatest threat of all: being considered less than a person"), and the methodical use of every account as an argument for the predictable radical solution. At its best, this book serves as a needed reminder that the poor are still with us and just as badly off, but the editor seems more interested in keeping the '60s fires glowing than anything else.

The International Urban Crisis. Thomas L. Blair. Hill & Wang, $6.95.

Jews and Political Power. Stephen D. Isaacs. Doubleday, $8.95.

Mini-Sketches of Great Americans. St. Louis Board of Education. Pocket Books, $.95.

Muscle and Blood. Rachel Scott. Dutton, $8.95.

A Nation Observed: Perspectives on America's World Role. Donald R. Lesh, ed. Potomac Associates, $3.95.

The New Politics Congress. Thomas P. Murphy. Lexington. Murphy's goal is "to capture the spirit of the New Politics as an influence on Congress," but the book neither clearly defines the phenomenon (Chet Holifield, the leading congressional defender of the Atomic Energy Commission, is described as "a New Politics leader"), nor provides much more than the academic equivalent of cut-and-paste journalism.

Nixon's Good Deed: Welfare Reform. Vincent and Vee Burke. Columbia Univ., $8.95.

Pioneer-at-Law: A Legacy in the Pursuit of Justice. George Edwards Norton. Norton, $7.95.

The Politics of Pornography. Rousas J. Rushdoony. Arlington House, $6.95.

The Power Broker: Robert Moses and the Fall of New York. Robert A. Caro. Knopf, $17.95. This is an important contribution to the literature of government. It is also a marvelous read. Everything is here, from Moses' genuine triumphs like the Saw Mill River Parkway, to his many miserable nasties like destroying the Aquarium and the 92nd Street ferry, to his major crime of paving over New York, to his pioneering creation of government institutions that are totally unaccountable.

Power and Ideology. Barbara Chasin, Gerald Chasin. General Learning, $3.50.

Public Higher Education in California. Neil J. Smelser, Gabriel Almond, eds. Univ. of California, $12.50.

Theft of the City: Readings on Corruption in Urban America. John A. Gardiner, David J. Olson, eds. Indiana Univ., $15/4.95.

The Trial of Martin Luther King. Alan P. Westin, Barry Mahoney. T. Y. Crowell, $5.95.

United Nations Journal: A Delegate's Odyssey. William F. Buckley. Putnam's, $6.95. A delightful account of Buckley's Walter Mitty-ish stint as a member of our United Nations delegation last fall. Buckley still seems a bit obsessed by the ghost of Eleanor

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Edited, with commentaries and contributions by ROBERT O. BLANCHARD, Chairman of the Dept. of Communications, American University

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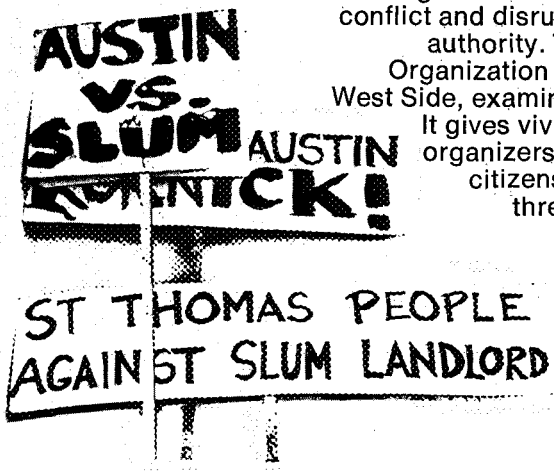
RADICALS IN URBAN POLITICS

The Alinsky Approach

Robert Bailey, Jr.



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Roosevelt ("that charming, befuddled lady, about whom James Burnham once wrote... she treated the world as her personal slum project"); however, these asides are a small price to pay for his bemused view of the proceedings. Buckley has mellowed enough to concede that the UN has its uses (although he isn't very specific about what they are), but he can't resist noting that "it is not possible, inside the UN, to refer to its shortcomings without going on to say 'however.'" Buckley is at his best when he details his frustrations with the suffocating realities of UN rhetoric: "It is easy to say that there are more congratulations proffered during sessions of the General Assembly... than at a royal wedding. A few of these are spare and perfunctory; more are gooey; some approach sexual ardor." Although Buckley's account makes no pretense of being anything more than anecdotal, the book is full of little-publicized details, such as the time the Cuban ambassador's bodyguards pulled their revolvers on the floor of the General Assembly. This prompted Buckley to wonder exactly how large is "the configuration of handguns among those gathered in New York to guard the peace of the world." For a sequel, Buckley might consider joining the ADA.

Urban Outcomes: Schools, Streets and Libraries. Frank Levy, Arnold J. Metsner, Aaron Wildavsky. Univ. of California, $12.50. Submerged in the definitions-of-terms and the bloodless prose is an important description and analysis of city bureaucracies. The authors, by studying three departments of the City of Oakland, have given us a picture of an unconscious mechanism which builds cities and supplies services without any sense of why it is doing these things, or any awareness of the effects on the citizens. Government in Oakland (and there is no reason to think it isn't typical of many large cities) is not particularly corrupt. The sad thing is that, even in the absence of corruption, the city government is incapable of treating its citizens fairly, of doing anything more than changing its budget a bit, responding to the pieces of paper (the only thing the road engineers understand are state funding requirements and reports of heavy traffic), continuing a system that was created in a piecemeal fashion and lacks any coherent set of values.

Watergate: Implications for Responsible Government. Frederick C. Mosher, et al. Basic.

Welfare Medicine in America: A Case Study of Medicaid. Robert and Rosemary Stevens. Free Press, $13.95.

Who Rules the Universities: An Essay in Class Analysis. David N. Smith. Monthly Review, $7.95.

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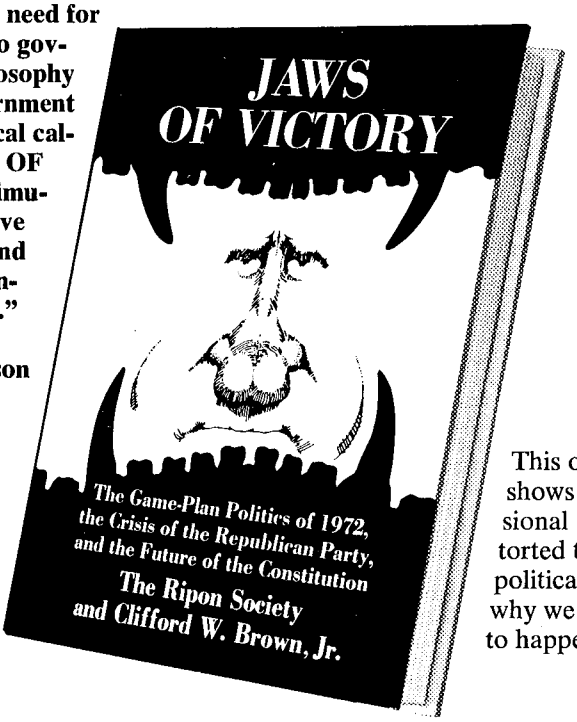

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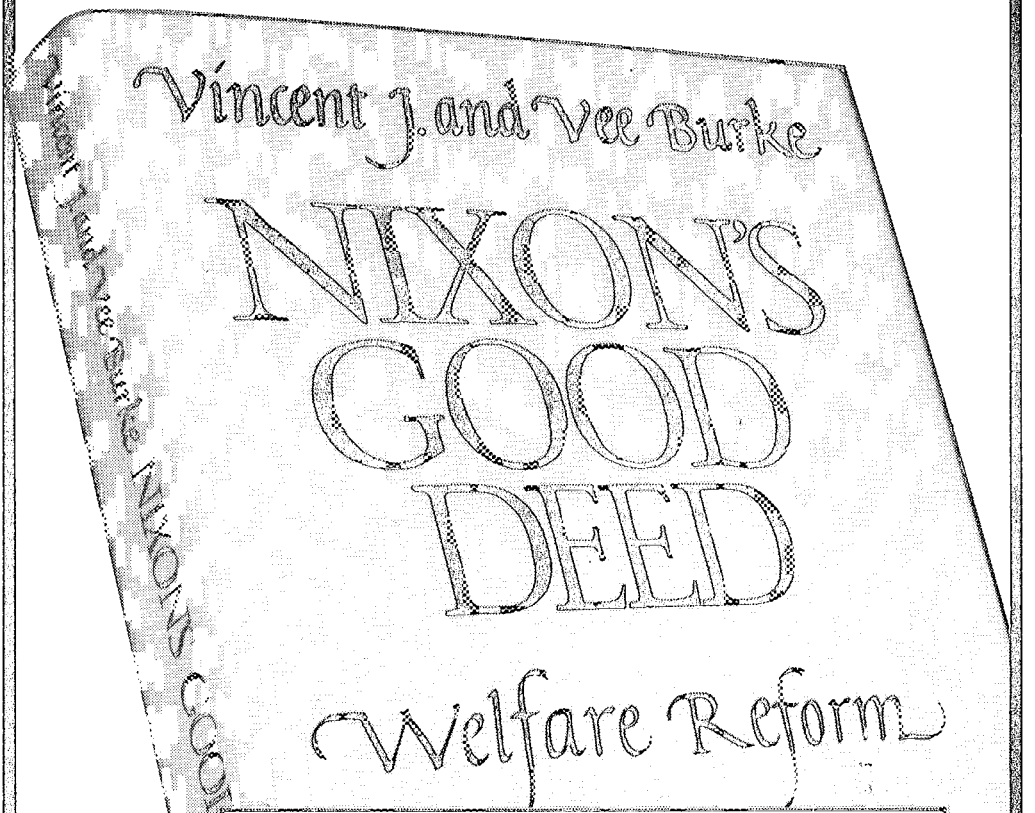

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